

# STATE OF TENNESSEE

## *Workers' Compensation Advisory Council*



---

### ANNUAL REPORT - CALENDAR YEAR 2003

*including*  
Statistical Report: Tennessee Workers' Compensation Data - 2003  
*and*  
Trends CY2000 - CY2003

---

DALE SIMS, STATE TREASURER  
CHAIR

# STATE OF TENNESSEE

## *Workers' Compensation Advisory Council*



---

## ANNUAL REPORT - CALENDAR YEAR 2003

*including*  
Statistical Report: Tennessee Workers' Compensation Data - 2003  
*and*  
Trends CY2000 - CY2003

---

DALE SIMS, STATE TREASURER  
CHAIR

M. LINDA HUGHES  
EXECUTIVE DIRECTOR

DAVID W. WILSTERMANN  
STATISTICAL ANALYST

October, 2004

## ANNUAL REPORT TABLE OF CONTENTS

HISTORICAL BACKGROUND	1
DUTIES AND RESPONSIBILITIES OF THE ADVISORY COUNCIL	3
ACTIVITIES OF THE ADVISORY COUNCIL	5
Workers' Compensation Legislation - Filed in 2003	5
Loss Costs Filings	6
NCCI Terrorism Loss Costs Filing	6
Terrorism Filing [Pursuant to Federal Law]	7
Advisory Prospective Loss Costs Filing - 2003 Annual Filing	8
Workers' Compensation Insurance Market	11
Tennessee Assigned Risk Plan	13
Workers' Compensation Fraud	14
Studies and Workers' Compensation Data	15
Studies	15
Tennessee Workers' Compensation Data	18
CONCLUSION	18
APPENDIX A - WORKERS' COMPENSATION ADVISORY COUNCIL MEMBERS AND EX OFFICIO MEMBERS	19
APPENDIX B - WORKERS' COMPENSATION DATA - CALENDAR YEAR 2003	21



**STATE OF TENNESSEE  
WORKERS' COMPENSATION ADVISORY COUNCIL  
ANNUAL REPORT  
CALENDAR YEAR 2003**

Pursuant to *Tennessee Code Annotated* §50-6-121(c), the Workers' Compensation Advisory Council herewith submits its annual report for calendar year 2003:

**HISTORICAL BACKGROUND**

The Workers' Compensation Advisory Council was created initially by the legislature in the Workers' Compensation Reform Act of 1992. The Workers' Compensation Reform Act of 1996 terminated that existing Advisory Council and created a new advisory council on workers' compensation. The Advisory Council initially was to be comprised of seven (7) voting members [six (6) appointed members and a chair to be selected by the appointed voting members], four (4) nonvoting members, and four (4) ex officio members.

In 1996, in accord with the statute, the Governor, the Speaker of the Senate and the Speaker of the House of Representatives each appointed one voting member to represent employers and one voting member to represent employees. The Governor appointed all nonvoting members: an attorney, a health care provider, an insurance company representative and a local government representative. The chair and vice chair of the Special Joint Committee on Workers' Compensation<sup>1</sup>

<sup>1</sup> *Tennessee Code Annotated* §50-6-130 created a "Special Joint Committee on Workers' Compensation"; however, it is often referred to as the "Joint Oversight Committee" or the "Joint Committee".

and the commissioners of Labor and Commerce & Insurance, or their designees, were designated as ex officio, nonvoting members. [*See, TCA §50-6-121.*]

In 1997, the statute was amended to add an additional nonvoting attorney member to be selected from a list of three names submitted by the Tennessee Trial Lawyers Association. As of January, 1998, a Chair had not been selected by the voting members. During the 1998 legislative session the General Assembly amended *TCA §50-6-121* to designate the State Treasurer, or the Treasurer's designee, as Chair of the Advisory Council. That amendment became effective July 1, 1998 and on that date, Mr. Steve Adams, State Treasurer, assumed the position of Chair of the Advisory Council. The Chair may vote only on matters related to the administration of the Advisory Council or the Advisory Council's research and the chair may not vote on any matter which constitutes the making of a policy recommendation to the Governor or to the General Assembly.

During the legislative session of 2001, the General Assembly added an additional non-voting member to the Advisory Council to represent the Tennessee Defense Lawyers Association. In August, 2001, Katherine (Kitty) Boyte, was appointed by the Governor to fill this position. No new positions were added to the Advisory Council in 2002.

#### **MEMBERSHIP CHANGES - 2003:**

The beginning of 2003 brought changes to the membership of the Advisory Council. The newly elected governor, the Honorable Phil Bredesen, selected two of the Advisory Council's members to join his administration as commissioners and cabinet members. Mr. James G. Neeley, a voting member who represented employees was named commissioner of the Department of Labor and Workforce Development and Mr. Dave Goetz, a voting member who represented employers, was named commissioner of the Department of Finance and Administration. On January 30<sup>th</sup>, Mr. Neil Nevins was appointed by Lt. Governor Wilder to complete the term of Mr. Goetz and in March, Governor Bredesen appointed Mr. Dave Hickey to complete Mr. Neeley's term.

Also, in January, 2003, Ms. Abbie Hudgens, who had served as the representative of local

governments resigned. In March, the Governor appointed Mr. Bob Kirk to fill this vacancy. Workers' compensation legislation enacted in 2003 added another nonvoting member to represent the interests of Tennessee hospitals. Governor Bredesen appointed Mr. David C. Stout to this position. In addition, workers' compensation legislation was passed to amend the terms of the members of the Advisory Council so both voting and nonvoting members would be staggered. This was necessary to prevent expiration of the terms of all nonvoting member terms on the same date. Attached as "APPENDIX - A" to this report is a chart that shows the membership, terms and representation of the members of the Advisory Council as of December 31, 2003.



### **DUTIES AND RESPONSIBILITIES OF THE ADVISORY COUNCIL**

The statutory language of the Reform Act of 1996 , codified at *Tennessee Code Annotated* §50-6-121, outlines the authority given to the Advisory Council, its general duties and some of its specific responsibilities. In general, the Advisory Council is authorized to: monitor the performance of the workers' compensation system in the implementation of legislative directives; make recommendations to the Commissioner of Labor and the Commissioner of Commerce and Insurance relating to the adoption of rules and legislation; and make recommendations regarding the method and form of statistical data collections.

The specific duties and responsibilities of the Advisory Council are contained in various sections of the workers' compensation law and in the insurance law, codified in *Tennessee Code Annotated*, Titles 50 and 56, respectively. Annually, the Advisory Council is required to review the workers' compensation system in Tennessee and report its findings to the Governor, the Speakers of the Senate and House of Representatives and other specified members of the legislature. This Annual Report fulfills that responsibility.

Another responsibility of the Advisory Council is to provide the Commissioner of Commerce and Insurance with a recommendation regarding the advisory prospective loss costs filing made by the National Council on Compensation Insurers (NCCI), the authorized Tennessee rating bureau.

The Advisory Council's recommendation regarding the filing submitted in August, 2003 and reviewed in September, 2003 is outlined herein.

Another responsibility of the Advisory Council is to develop evaluations, statistical reports and other information from which the General Assembly may evaluate the impact of the 1992 Reform Act and subsequent changes to the workers' compensation system. The Department of Labor and Workforce Development maintains an integrated workers' compensation data system into which data from the statistical data forms received by the Department are entered. The Department provides Advisory Council staff access to the data system which enables the Advisory Council to statistically evaluate the Tennessee workers' compensation system.

Since the publication of the 2001 Annual Report, the Advisory Council has included Tennessee specific statistics, evaluations and information from which the General Assembly can evaluate the impact of the 1992 and 1996 Reform Acts in each annual report. Tennessee workers' compensation data from calendar year 2003 and trends for calendar years 2000 through 2003 are included herein as "Exhibit B".<sup>2</sup>



---

<sup>2</sup> The Workers' Compensation Reform Act of 2004 requires the Advisory Council to provide data by judicial district. In an effort to provide this relevant data to the General Assembly prior to the 2005 legislative session, the Annual Report for Calendar Year has been expanded to include this specific data.

## **ACTIVITIES OF THE ADVISORY COUNCIL**

### **~CALENDAR YEAR 2003~**

The Advisory Council is required by statute to meet at least two times during a calendar year. In 2003, the Advisory Council met on six (6) different dates: January 30; March 21; March 28; August 28; September 25; and November 20. The minutes of the meetings of the Workers' Compensation Advisory Council can be reviewed at the Advisory Council's website: [www.state.tn.us/labor-wfd/wcac](http://www.state.tn.us/labor-wfd/wcac).

During calendar year 2003, the Advisory Council considered and discussed many different issues that impact the Tennessee workers' compensation system. The following summarizes the most significant of those issues. For a more detailed record of the issues addressed during the year, the reader is directed to the minutes of the specific meetings.

#### **I. WORKERS' COMPENSATION LEGISLATION - Filed in 2003**

The 103<sup>rd</sup> General Assembly of the State of Tennessee convened in Nashville in January of 2003. The Advisory Council was requested to review all proposed workers' compensation legislation and to make recommendations concerning the filed bills to the Joint Committee on Workers' Compensation.

The Advisory Council met on March 21<sup>st</sup> and March 28<sup>th</sup> to review, discuss and make recommendations regarding workers' compensation legislation. On March 21, the Advisory Council reviewed seventeen (17) bills. The Council met again on March 28<sup>th</sup> to consider the changes to the "Omnibus Bill" that the members had requested be made during the meeting on March 21 and other amendments submitted by legislators. The Advisory Council submitted a written report to the Joint Committee concerning its actions at the March meetings that included an analysis of each bill reviewed by the Advisory Council. The analysis included: a statement of the present law on the subject of the proposal; a summary of the proposed change; the practical effect of the proposed legislation; comments of various Advisory Council members; and the recommendation of the voting

members of the Advisory Council. The Advisory Council's specific recommendations regarding the pending workers' compensation legislation are reported in the minutes of the March 21 and March 28 meetings which can be reviewed on the Advisory Council website: [www.state.tn.us/labor-wfd/wcac](http://www.state.tn.us/labor-wfd/wcac).

## **II. FILINGS BY THE NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.**

The National Council on Compensation Insurance [hereinafter, NCCI] is the authorized rate making entity for all workers' compensation carriers in the State of Tennessee. The NCCI makes various filings on behalf of the carriers and these filings are submitted to the Commissioner of Commerce and Insurance. Some filings require action by the Commissioner and others do not. One type of filing is the advisory prospective loss costs and rating values filing submitted each year as a result of the adoption of the loss costs system in 1996. *Tennessee Code Annotated* §50-6-402 requires the Commissioner of Commerce and Insurance to consult the Advisory Council before approving any advisory prospective loss costs filing. The Advisory Council is then required to make written comment on the filing to the Commissioner of Commerce and Insurance within 60 days of the receipt of the filing.

The 1996 Reform Act restricted the actions of the Commissioner of Commerce & Insurance regarding advisory prospective loss costs filings. Under the provisions of that act, the Commissioner could either approve or disapprove the filing; the filing could not be modified by the Commissioner in any way. In 1998, the statute was amended to permit the Commissioner of Commerce & Insurance to modify the filing, provided the modification is within the range established by the recommendation of the rate service organization [NCCI] in its filing and the recommendation of the Advisory Council.

The following filings were addressed during Advisory Council meetings in calendar year 2003:

### **A. Terrorism Filing [Pursuant to Federal Law]**

On December 20, 2002, the NCCI, in direct response to the "Terrorism Risk Insurance Act of 2002" that was signed by President George W. Bush on November 26, 2002, submitted a "terrorism filing" to the Commissioner of Commerce and Insurance. The filing requested an additional two (2) cents per \$100 of payroll be added to insurance premiums for the voluntary market and four (4) cents per \$100 of payroll for the assigned risk market on new and renewal policies. The Commissioner of Commerce and Insurance forwarded the filing to the Advisory Council for information purposes only as the legal opinion of the department was that the filing was not a loss costs filing that triggered review pursuant to *Tennessee Code Annotated* §50-6-402

At the January 30, 2003 meeting the NCCI made a presentation concerning the "Terrorism Filing". Representatives of the NCCI explained the filing is not subject to experience rating, premium discounts, scheduled ratings or any other rating variables on the policy. Rather, it is an add on after the discounts/variables are added to the policy calculations. In addition, the NCCI representative indicated the filing became effective as of the date it was filed on December 20, 2002 because Tennessee is a "mandatory adopt state" which means each carrier is required to adhere to the filing and the Commissioner of Commerce and Insurance has no authority to "approve" the rate. The Commissioner's only action would be to "disapprove" the filing if the Commissioner found the filing to be inadequate, excessive or discriminatory. In addition, members were advised federal law preempted state law on this subject.

The voting members of the Advisory Council acknowledged that it had no authority over the Commissioner of Commerce and Insurance but voted unanimously to recommend (1) that the department consider asking the NCCI to rescind the filing; (2) that if the filing is rescinded and a new filing is made, that it be subject to the framework of previously approved loss costs filings; and (3) that both the voluntary and the assigned risk markets be assessed the same amount of costs.

## **B. Advisory Prospective Loss Costs Filing - 2003 Annual Filing**

The NCCI filed its annual advisory prospective loss costs filing on August 15, 2003 requesting an increase of 7.9% (i.e., +7.9%) to be effective on March 1, 2004. Commissioner Flowers forwarded the filing to the Advisory Council on August 18, 2004 for review and recommendation. NCCI made its presentation to the Advisory Council at the August 28, 2004 meeting and at the September 25 meeting, the consulting actuaries for the Advisory Council and the Department of Commerce and Insurance discussed the filing.

NCCI explained the filing for an overall change of +7.9% , when spread over these industry groups, results in the following average increases:

- Manufacturing: +12.5% (maximum increase of +38%; maximum decrease of -12%)
- Contracting: +2.0% (maximum increase of +27%; maximum decrease of -23%)
- Office and Clerical: +6.4% (maximum increase of +31%; maximum decrease of -19.%)
- Goods and Services: +8.1% (maximum increase of +33%; maximum decrease of -17%)
- Miscellaneous: +8.4% (maximum increase of +33%; maximum decrease of -17%)

It was explained that NCCI is forecasting indemnity benefits in Tennessee to increase +1.% over and above wage/payroll inflation, which usually increases about 3% per year and is forecasting that medical losses will go up by +2.5% per year more than wages are increasing. Therefore, the medical inflation would be approximately 5.5%.

The NCCI representative explained the proposed increase is probably due to three factors, all of which have an upward impact on the loss costs: (1) case reserves are developing upward at a much higher rate than they have historically developed; (2) the rates are governed by a review of two years of data and 1999, which was a better year, rolled off; and (3) the 2000 data has deteriorated much more rapidly than expected and predicted in the filing last year. He explained the 7.9% increase in loss costs is due to the fact that the losses being paid out are outstripping premiums by this amount.

At the September 25, 2003 meeting, the consulting actuary for the Advisory Council stated

his overall conclusion was that the NCCI's proposed increase of +7.9% is well justified but that a larger increase may be more appropriate in recognition of larger trends in the loss costs than are incorporated in the NCCI loss costs filing. The actuary based his opinion on the following: (1) data from Legion Insurance Company, in liquidation, was not included and Reliance data was not included; (2) upward development in losses at a stronger level than previously projected in prior filings by the NCCI; and (3) changes in expected trend (severity, frequency and wage level offset) factors. The consultant recommended an increase of +7.9% to +11.8% as appropriate for the insurance market in Tennessee.

At the September 25, 2003 meeting, the consulting actuary for the Department of Commerce and Insurance presented his opinion that the proposed increase of +7.9% was inadequate because of concerns that the NCCI's selected trend factors for indemnity and medical were too low. He suggested an increase in the loss costs of +9.7% to 13.8% would be more reasonable.

The members of the Advisory Council discussed the NCCI's proposed +7.9% increase and the various opinions of the actuaries who made presentations and the voting members unanimously recommended that the NCCI's proposed +7.9% increase be approved by the Commissioner of Commerce and Insurance to be effective on March 1, 2004. The following rationale was articulated to support the recommendation:

- For the past two years, the Advisory Council recommended approval of a loss costs greater than proposed by the NCCI in its filing and from the current information, it appears the Advisory Council's recommendation was more correct than the NCCI's filing. NCCI should be encouraged to bring as good and complete data as possible for consideration.
- While there are disturbing trends in the medical component, there exist more current data that is not yet fully developed that may moderate somewhat, based on Tennessee data.
- The possibility of reform in the next year could impact the future.

- With the difficulty in the past two years with which insurance companies did and did not report data to the NCCI, it is hoped by next year the problems will be resolved so the next filing contains virtually all the companies' data so there is greater certainty as to the Tennessee indemnity and medical trends.
- The decision regarding the loss costs that will become effective as of March 1, 2004, will in no way affect whether an insurance company does or does not decide to enter the Tennessee market because an insurance company is able to obtain the premiums it needs or wants by use of the selected multiplier.

During the November 20, 2003 meeting, Commissioner Flowers explained she requested the NCCI to refile its advisory prospective loss costs filing of +7.9% by adjusting the increases and decreases differently than proposed for each individual classification code while retaining the overall increase of +7.9%.

The 2003 filing marked the eighth year of the advisory prospective loss costs system in Tennessee. The following chart outlines the loss costs filings, the Advisory Council recommendations and the Department's approvals from 1996 through 2003:

Year Filing Made	NCCI Filed Rate	Advisory Council Recommendation	Commerce & Insurance Approved Rate	Effective Date
1996	-5.4%	-8.2%	-8.2%	1/1/1997
1997	-3.4%	-10.0%	-7.0%	1/1/1998
1998	-10.3%	-9.0%	-9.0%	3/1/1999
1999	+3.3%	+7.0%	+7.0%	3/1/2000
2000	No Filing Submitted			Rates Effective 3-1-2000 Continue
2001	+0.5%	+1.4%	+1.4%	3/1/2002
2002	-3.1%	0.0% with each class code relativity to be adjusted accordingly	0.0% with each class code relativity to be adjusted accordingly	3/1/2003
2002	7.9%	7.9% with each class code relativity to be adjusted accordingly	7.9% overall increase with each classification being readjusted as specified by the Department	3/1/2003

### III. TENNESSEE'S WORKERS' COMPENSATION INSURANCE MARKETS

At the August 28, 2003, meeting, the Department of Commerce and Insurance presented an insurance market update to the Advisory Council members. Included in that presentation were the

topics of the Tennessee voluntary workers' compensation insurance market; the Tennessee Assigned Risk Market; Self-Insurance; and insolvencies. The following is a summary of the information concerning these topics of which the Advisory Council was made aware at these meetings.

**A. Voluntary Market:** A shift in the Tennessee market occurred as a result of a 4% increase in size of the assigned risk pool during the last year and the pool volume is gradually increasing and the overall premium is trending upward. The market in general is hardening due to the economic downturn and the insolvencies of significant carriers that affect workers' compensation. Loss costs multipliers are rising in order to keep a balance in profitability for the companies and there is general difficulty in the terms of the availability and price for reinsurance for workers' compensation carriers. The calculated, weighted average loss costs multipliers have been creeping up over the past two years [2001-1.26; 2002-1.35; and 2003-1.46] and are steadily creeping toward the assigned risk multiplier which has been at 1.70 for the last two years. The assigned risk multipliers for some of the companies that have the highest direct premium are close to or surpassing the assigned risk plan multiplier.

**B. Assigned Risk Market:** The trend in the assigned risk pool is moving upward and as of August, 2003 was just below the statutory trigger of 15%. If it exceeds the threshold, the Department will be required to issue a report to the Advisory Council.

**C. Self-Insurance:** There are 167 self-insured employers in Tennessee with the "Premium Equivalent" (method by which premium tax is calculated) of \$233,289,898 for 2002. There are 10 self-insured groups in Tennessee with a "Premium Equivalent" in 2002 of \$44,999,381. The Department reported several self-insured employers are having financial difficulty.

**D. Update on Company Insolvencies:** (1) Reliance Insurance Company - currently in liquidation - as claims are handled there will be a better idea of the ultimate shortfall of the company. The Reliance insolvency has had a ripple effect on companies across the United States; (2) Legion Insurance Company - currently in liquidation - a significant problem as 92.8% of the direct unpaid losses in Tennessee are workers' compensation claims and the total unpaid losses in

Tennessee are estimated to be in excess of 51 million dollars; (3) Villanova Insurance Company - currently in liquidation - smaller in its magnitude yet cumulatively the failure is significant to Tennessee because workers' compensation makes up 98.5% of the direct losses unpaid in Tennessee and are estimated to be over 6 million dollars; (4) Frontier Insurance Company - still in rehabilitation - although smaller in size than the others, it is still significant as a cumulative effect on the market.

#### **IV. TENNESSEE ASSIGNED RISK PLAN**

AON, the plan administrator, reported the assigned risk plan has seen significant growth over the past two years and the assigned risk plan is expected to be in excess of 15% and it could be there at the present time. However, data indicate a lot of the growth over the past two years has been driven by large employers that pay in excess of \$50,000 for the workers' compensation premium. This type of employer is generally the last one to enter the pool and the first to exit the pool because usually there is usually a market for this type of business.

The following changes occurred in the assigned risk plan from 2001 to 2002: (1) an aggregate increase of 38.5% in the number of policies written in the pool; (2) an aggregate increase of 63.4% in the total written premium volume in the pool; (3) significant growth in the higher premium size ranges; (4) an increase of 105% in premiums for policies between \$100,000 and \$249,999 and an increase in the number of policies written in that range by 88.4% (from 69 to 130); (5) an increase of 153.9% in premiums for policies between \$250,000 and \$499,999 and an increase in the number of policies in that range by 180% (from 10 to 28); (6) the average premium in 2001 was \$7,700; the average premium in 2002 was \$9089; and the average premium for January 1-June 30, 2003 was \$8,641, which is a slight decrease.

Premium volume for each specific plan year was reported as follows:

1998	\$23,204,971	1999	\$20,475,142
2000	\$36,535,812	2001	\$73,299,163
2002	\$117,495,946	January 1 - June 30, 2003	\$61,031,778

Data through June 30, 2003 indicate total premiums for the assigned risk pool at the end of 2003 would be between \$122 Million and \$130 Million. Data also indicate the pool is not growing at the same rate as it has in the past when you use the first six months of the plan years for comparison. The first six months of Plan Year 2001 compared to the first six months of Plan Year 2002 indicate the rate of growth of the plan was 82.4%. A comparison of the first six months of Plan Year 2003 to the same period in 2002 shows the rate of growth dropped to 23.9%.

Loss projections of the Tennessee assigned risk plan, as of December 31, 2002, were reported as follows:

Plan Year 1998	Expected Ultimate Deficit of \$3,385,044
Plan Year 1999	Expected Ultimate Deficit of \$1,703,403
Plan Year 2000	Expected Ultimate Deficit of \$6,998,284
Plan Year 2001	Expected Surplus of \$1,256,390
Plan Year 2002	Expected Ultimate Deficit of \$15,700,050 [This figure is based on very green, inaccurate data as a policy could be written on December 31, 2002 and the losses would not yet be determined and all the premiums for Plan Year 2002 would not have been collected. It is expected that the figure will decline as the year progresses.]

## V. WORKERS' COMPENSATION FRAUD

*Tennessee Code Annotated*, §50-6-121(f) [amended in 2002] requires the Advisory Council to report on the activities and outcomes of the Workers' Compensation Fraud Act within its annual report. However, in 2003, the Tennessee Bureau of Investigation's Fraud Unit was eliminated. No

fraud statistics are available to report.

## **VI. STUDIES AND WORKERS' COMPENSATION DATA**

### **A. Studies**

In March, 2003, the Advisory Council presented a written report to the General Assembly and the Joint Committee on Workers' Compensation regarding three issues that it had been directed the Council to study. The following is the summary portion of the report. The complete report is available for review on the Council's website.

**Issue:** Findings and recommendations, if any, on methods to control the growth of medical costs within the workers' compensation system. [Acts 2002, ch. 695, § 2, effective May 1, 2002.]

#### **Advisory Council Comments & Recommendations:**

The Advisory Council took steps to gather information on the issue of medical costs from a variety of sources including input from interested parties. After review of all the information available to it, the Advisory Council does not suggest in this report that Tennessee workers' compensation medical costs are growing more rapidly than medical costs in general. The members of the Advisory Council, however, do not believe there is consensus in the workers' compensation community as to what medical costs are and are not proper. While data suggest workers' compensation medical costs are rising, data also suggest that all medical costs are increasing countrywide in the group health arena as well as in the workers' compensation arena. Rising health care costs are a national debate issue that is not restricted to workers' compensation costs in Tennessee.

The Advisory Council has reviewed the cost containment strategies currently in place in Tennessee and in other states as well as the available data on medical costs reported by insurance carriers in Tennessee. The Advisory Council found that Tennessee has enacted legislation that authorizes the use of all cost containment strategies available

in other states except for medical fee schedules. However, the Medical Care and Cost Containment Committee provides medical care providers, insurers and employers with a remedy when the amount of the medical charges is in dispute. As a result of the information reviewed, the **Advisory Council does not recommend any additional cost containment initiatives at this time.** The Advisory Council will continue to monitor the medical costs issue and that it report to the General Assembly periodically as additional facts and information warrant.

**Issue:** The impact of the statutory requirement that all employees who sustain a back injury in the course and scope of their employment be provided a panel choice of medical care providers that includes a chiropractor. [Acts 2000, ch. 990, §4, effective June 27, 2000]

**Advisory Council Comments & Recommendations:**

The Advisory Council has considered this issue since 2000. It has sought input from the members of the Council as well as the Tennessee Chiropractic Association and other interested parties. The Advisory Council was unable to locate any specific Tennessee data on chiropractic utilization and costs. While it is hoped future research data will provide more detailed information, the Advisory Council does not currently have sufficient information to draw any conclusions as to the effectiveness [on either a medical outcome basis or a cost effectiveness basis] of the statute at this time. Neither has the Advisory Council discerned any outstanding “hue and cry” either for or against the chiropractic panel requirement.

Therefore, from the information available to it, the **Advisory Council recommends** that it continue to monitor the issue to attempt to obtain Tennessee specific data and that it report back to the General Assembly on or before January 31, 2005. Further, the **Advisory Council recommends** that the General Assembly consider legislation to provide for a two (2) year extension to this statute so that it sunsets as of July 1, 2005.

**Issue:** The impact of *Tennessee Code Annotated* §50-6-110(c) on the payment of a health

care provider's claim for emergency and stabilization services provided to an employee covered by workers' compensation and notification of providers of health related to the workplace injury. [Acts 2002, ch. 695, § 6, effective May 1, 2002.] (This statute is related to the issue of an employer's defense to a workers' compensation claim based on the employee's intoxication by either alcohol or drugs.)

**Advisory Council Comments & Recommendations:**

This matter arose during the legislative session of 2002 and the Advisory Council was requested to study it. The entity that was interested in this issue has suggested to the Advisory Council that it is continuing to research the issue and recommends that the subject continue to be tracked and studied until more information can be developed.

The Advisory Council has conducted a survey of other states to determine how the matter of payment of medical expenses incurred by an intoxicated injured worker is handled. It appears there are only a few states that have addressed the issue and it is treated by those states in various ways. While the discussion of payment for these medical expenses has uncovered a potential problem with both the denial of workers' compensation coverage (for injuries sustained by employees who are intoxicated) and the denial of medical benefits by group health coverage, no solutions are currently apparent. As this is an issue that bears further study and consideration, the **Advisory Council has no recommendation for action by the General Assembly.** The **Advisory Council will continue** to monitor the issue, to gather any additional information interested parties are able to share regarding the issue and to report to the General Assembly when more information has been developed.

## **B. Tennessee Workers' Compensation Data**

As indicated previously in this report, the Advisory Council is fulfilling its statutory responsibility to develop information, evaluations and statistical reports concerning the impacts of the workers' compensation reforms by including in its Annual Report a statistical review of the Tennessee workers' compensation system (based on the data obtained from the Statistical Data Form filed at the conclusion of a workers' compensation claim). For ease in publishing these data separately from the Annual Report, the statistical analysis of data from calendar year 2003, and trends for calendar years 2000, 2001, 2002 and 2003 are contained in "Exhibit B", attached hereto.

~~~~~

## **CONCLUSION**

The Workers' Compensation Advisory Council met on six (6) occasions in calendar year 2003. As in past years, these meetings ranged in length from as few as three (3) hours to as long as a full day. This Annual Report is intended to provide the reader a synopsis of the topics considered during the year as well as to provide a continuing picture of Tennessee workers' compensation statistics. The Advisory Council appreciates the opportunity to be of service to the Governor and the General Assembly as well as the employees and employers of the great State of Tennessee.

Respectfully submitted on behalf of the  
Workers' Compensation Advisory Council  
on the 7<sup>th</sup> day of October, 2004:



Dale Sims, State Treasurer  
Chair

## APPENDIX A

### WORKERS' COMPENSATION ADVISORY COUNCIL Members and Ex-Officio Members

#### Members

| Name | Affiliation | Address | Status |
|------|-------------|---------|--------|
|------|-------------|---------|--------|

|           |                               |                                                        |       |
|-----------|-------------------------------|--------------------------------------------------------|-------|
| Dale Sims | Treasurer, State of Tennessee | First Floor, State Capitol<br>Nashville, TN 37243-0225 | Chair |
|-----------|-------------------------------|--------------------------------------------------------|-------|

#### Employer Representatives

|               |                                     |                                           |               |
|---------------|-------------------------------------|-------------------------------------------|---------------|
| Neil Nevins   | Tennessee Restaurant Association    | 1224A Lakeview Dr.<br>Franklin, TN 37067  | Voting Member |
| Bob Pitts     | Associated Builders and Contractors | 1604 Elm Hill Pike<br>Nashville, TN 37210 | Voting Member |
| Steven Turner | Turner Dairies, Inc.                | 2040 Madison Avenue<br>Memphis, TN 38104  | Voting Member |

#### Employee Representatives

|                  |                                           |                                                  |                     |
|------------------|-------------------------------------------|--------------------------------------------------|---------------------|
| Jack A. Gatlin   |                                           | 365 Blankenship Road<br>Covington, TN 38019      | Voting Member       |
| Jerry Lee        | Tennessee AFL-CIO Labor Council           | 1901 Lindell Avenue<br>Nashville, TN 37203       | Voting Member       |
| Othal Smith, Jr. | International Brotherhood of Boilermakers | 357 Riverside Drive<br>150<br>Franklin, TN 37064 | Suite Voting Member |

#### Local Government Representative

|          |                                |                                                                  |                   |
|----------|--------------------------------|------------------------------------------------------------------|-------------------|
| Bob Kirk | City of Dyersburg - Councilman | 425 W. Court Street<br>P.O. Box 1358<br>Dyersburg, TN 38205-1358 | Non-voting Member |
|----------|--------------------------------|------------------------------------------------------------------|-------------------|

#### Insurance Representative

|            |                                   |                                                |                   |
|------------|-----------------------------------|------------------------------------------------|-------------------|
| Jerry Mayo | Insurance Corporation of Hannover | 9005 Overlook Boulevard<br>Brentwood, TN 37027 | Non-voting Member |
|------------|-----------------------------------|------------------------------------------------|-------------------|

## Health Care Representatives

|                           |                                |                                                          |                   |
|---------------------------|--------------------------------|----------------------------------------------------------|-------------------|
| Claiborne Christian, M.D. | Tennessee Medical Association  | 221 W. Paris Street<br>Huntingdon, TN 38344              | Non-voting Member |
| David C. Stout            | Tennessee Hospital Association | 711 South Mountain View Circle<br>Johnson City, TN 37601 | Non-voting Member |

## Attorney Representatives

|                              |                                       |                                                                                              |                   |
|------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------|-------------------|
| Katherine D. (Kitty) Boyte   | Tennessee Defense Lawyers Association | Ruth, Howard, Tate & Sowell<br>150 Second Avenue<br>Suite 201<br>Nashville, TN 37201         | Non-voting Member |
| Jacqueline B. Dixon, Esquire | Tennessee Bar Association             | Hollins, Wagster & Yarbrough, P.C.<br>424 Church Street<br>22nd Floor<br>Nashville, TN 37219 | Non-voting Member |
| J. Anthony Farmer, Esquire   | Tennessee Trial Lawyers Association   | Farmer & Ferraris<br>6130 Lonas Drive<br>Knoxville, TN 37909-3233                            | Non-voting Member |

## Ex Officio Members

|                  |                                                 |                                                                                           |                   |
|------------------|-------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------|
| Joe Haynes       | State Senator                                   | Room 5, Legislative Plaza<br>Nashville, TN 37243-0220                                     | Ex-Officio Member |
| Jere Hargrove    | State Representative                            | Room 34, Legislative Plaza<br>Nashville, TN 37243-4156                                    | Ex-Officio Member |
| James G. Neeley  | Commissioner of Labor and Workforce Development | 710 James Robertson Pkwy<br>Andrew Johnson Tower<br>8th Floor<br>Nashville, TN 37243-0655 | Ex-Officio Member |
| Paula A. Flowers | Commissioner of Commerce and Insurance          | 500 James Robertson Pkwy<br>Davy Crocket Tower Suite 500<br>Nashville, TN 37243-0565      | Ex-Officio Member |

## **APPENDIX B**

### **TENNESSEE WORKERS' COMPENSATION DATA CALENDAR YEAR 2003**

[Full Report Follows]

## STATISTICAL REPORT: TENNESSEE WORKERS' COMPENSATION DATA - 2003

### TABLE OF CONTENTS

|                                                                          | PAGE NO. |
|--------------------------------------------------------------------------|----------|
| INTRODUCTION                                                             | 26       |
| METHODS                                                                  | 29       |
| NUMBER OF CASES<br>[TABLE 1]                                             | 31       |
| CONCLUSION TYPES<br>[TABLE 2 & 3; FIGURE 1]                              | 34       |
| CASE LENGTH<br>[FIGURE 2]                                                | 38       |
| DATE OF INJURY TO DATE OF CONCLUSION<br>[TABLE 4; FIGURE 3]              | 39       |
| DATE OF INJURY TO MAXIMUM MEDICAL IMPROVEMENT<br>[TABLE 5; FIGURE 4]     | 39       |
| MAXIMUM MEDICAL IMPROVEMENT TO DATE OF CONCLUSION<br>[TABLE 6; FIGURE 3] | 40       |
| DEMOGRAPHICS                                                             |          |
| AVERAGE AGE<br>[TABLE 7; FIGURE 6]                                       | 47       |
| LEVEL OF EDUCATION<br>[TABLE 8]                                          | 47       |
| WEEKLY COMPENSATION RATE<br>[TABLE 9; FIGURE 7]                          | 47       |
| TEMPORARY TOTAL DISABILITY                                               |          |
| TEMPORARY TOTAL DISABILITY - NUMBER OF WEEKS<br>[TABLE 10; FIGURE 8]     | 54       |

|                                                                                      |    |
|--------------------------------------------------------------------------------------|----|
| TEMPORARY TOTAL DISABILITY - MONETARY AMOUNTS<br>[TABLE 11; FIGURE 9]                | 54 |
| <b>MEDICAL INFORMATION</b>                                                           |    |
| MEDICAL BENEFITS/EXPENSES<br>[TABLE 12; FIGURE 10]                                   | 59 |
| NUMBER OF PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[FIGURE 11, TABLE 13]              | 59 |
| BODY PARTS INJURED<br>[TABLES 14 & 15]                                               | 63 |
| <b>BODY AS A WHOLE CASES - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT</b>            |    |
| PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[TABLE 16]                                   | 64 |
| PERMANENT PARTIAL DISABILITY PERCENTAGE<br>[TABLE 17]                                | 64 |
| PERMANENT PARTIAL DISABILITY MULTIPLIERS<br>[TABLE 18]                               | 65 |
| PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS<br>[TABLE 19]                          | 65 |
| <b>BODY AS A WHOLE CASES - EMPLOYEE DID NOT RETURN<br/>TO PRE- INJURY EMPLOYMENT</b> |    |
| PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[TABLE 20]                                   | 71 |
| PERMANENT PARTIAL DISABILITY PERCENTAGE<br>[TABLE 21]                                | 71 |
| PERMANENT PARTIAL DISABILITY MULTIPLIERS<br>[TABLE 22]                               | 71 |
| PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS<br>[TABLE 23]                          | 72 |

---

---

**ARM INJURIES - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT**

|                                                             |    |
|-------------------------------------------------------------|----|
| PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[TABLE 24]          | 77 |
| PERMANENT PARTIAL DISABILITY PERCENTAGE<br>[TABLE 25]       | 77 |
| PERMANENT PARTIAL DISABILITY MULTIPLIERS<br>[TABLE 26]      | 77 |
| PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS<br>[TABLE 27] | 78 |

**ARM INJURIES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT**

|                                                             |    |
|-------------------------------------------------------------|----|
| PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[TABLE 28]          | 83 |
| PERMANENT PARTIAL DISABILITY PERCENTAGE<br>[TABLE 29]       | 83 |
| PERMANENT PARTIAL DISABILITY MULTIPLIERS<br>[TABLE 30]      | 83 |
| PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS<br>[TABLE 31] | 84 |

**LEG INJURIES - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT**

|                                                             |    |
|-------------------------------------------------------------|----|
| PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[TABLE 32]          | 89 |
| PERMANENT PARTIAL DISABILITY PERCENTAGE<br>[TABLE 33]       | 89 |
| PERMANENT PARTIAL DISABILITY MULTIPLIERS<br>[TABLE 34]      | 89 |
| PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS<br>[TABLE 35] | 90 |

---

---

**LEG INJURIES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT**

|                                                                      |     |
|----------------------------------------------------------------------|-----|
| PERMANENT PARTIAL IMPAIRMENT RATINGS<br>[TABLE 36]                   | 95  |
| PERMANENT PARTIAL DISABILITY PERCENTAGE<br>[TABLE 37]                | 95  |
| PERMANENT PARTIAL DISABILITY MULTIPLIERS<br>[TABLE 38]               | 95  |
| PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS<br>[TABLE 39]          | 96  |
| PSYCHOLOGICAL INJURY<br>[TABLES 40 & 41]                             | 101 |
| PERMANENT TOTAL DISABILITY<br>[TABLES 42 & 43]                       | 104 |
| DEATH CASES<br>[TABLE 44]                                            | 105 |
| APPEALS<br>[TABLES 45 & 46]                                          | 106 |
| CONCLUSION                                                           | 108 |
| APPENDIX 1 STATEWIDE DATA - AT A GLANCE - CALENDAR YEARS 2000 - 2003 | 110 |
| APPENDIX 2 FOUR YEAR TREND GRAPHS - CALENDAR YEARS 2000 - 2003       | 143 |
| APPENDIX 3 SYNOPSIS OF TENNESSEE WORKERS' COMPENSATION               | 158 |
| APPENDIX 4 GLOSSARY OF STATISTICAL TERMS                             | 163 |

## STATISTICAL REPORT: TENNESSEE WORKERS' COMPENSATION DATA CALENDAR YEAR 2003

### INTRODUCTION

Statewide workers' compensation data was first reported for Tennessee in 2002, by the Workers' Compensation Advisory Council. That report included data and statistics related to workers' compensation cases concluded in calendar years 2000 and 2001. Two years later, this statistical report contains data from calendar year 2003 and contains trend information for four consecutive years.

This statistical report is possible because the General Assembly, in 1998, enacted *Tennessee Code Annotated* § 50-6-244 which established a method by which workers' compensation data specific to each Tennessee claim is to be reported to the Department of Labor and Workforce Development (hereinafter, "Department"). The statute requires the parties to complete and file a statistical data form at the conclusion of a case, contemporaneously with the final order or, if the settlement is approved by the Department, at the time the settlement is approved.

After the statistical data forms are received by the Department, the data from the individual forms are entered into the integrated workers' compensation computer system. The Department provided staff of the Advisory Council with access to the database. It is from this database that the following statistics were developed.<sup>3</sup> The number of cases will vary from chart to chart. This is because the statewide figures reported are calculated with the data available in the Department's database, which is dependant on the degree to which the SD-1 forms are filled out. In other words, all data listed on the forms sent in are entered into the database, but not all forms are completely filled out.

As has been noted in the prior published reports, a working knowledge of the Tennessee workers' compensation system is necessary to the understanding of the statistics contained herein.

---

<sup>3</sup> Without access to the Department's database, this project could not have been completed. The Advisory Council staff thanks the Department for its cooperation.

Therefore, for those who are unfamiliar with the Tennessee system, a summary is provided in Appendix 3. The summary is not intended to be a complete description of the Tennessee workers' compensation system, but is designed to give an explanation of those portions of the workers' compensation law that are necessary to an understanding of the reported statistics and their relevance. The summary provided is applicable only to those cases concluded in 2003 in which there is no dispute as to whether the employee was injured in the course and scope of employment. For a more detailed explanation of the Tennessee workers' compensation law, the reader is urged to review *Tennessee Code Annotated* §50-6-101 *et seq.*<sup>4</sup>

The following is the compilation of statistics from statistical data forms received by the Department for claims/cases concluded in calendar year 2003. This report does not purport to analyze the data. Its primary function is to provide a snapshot of Tennessee workers' compensation cases closed in 2003. However simple calculations were performed to test for statistically significant differences between judicial districts. A statistically significant difference between judicial districts for a given variable means the probability of getting the results are so rare that their occurrence is due to non-chance factors or that the variance within individual judicial districts is less than the variance between the judicial districts. Any analysis or specific study of the data will be provided in separate reports as requested by the Workers' Compensation Advisory Council members or the General Assembly.

This report also includes data from cases concluded in calendar years 2000 through 2002, as reported in last year's annual report. Summary data from 2000 to 2003 are available in Appendix 1 and bar graphs representing the trend data are presented in Appendix 2 of this report.

Additions to this report over previous years include judicial district summaries in Appendix 1 and previous years' statewide averages under many charts throughout the text. Another change that needs to be noted is how cases are assigned to judicial districts for analysis. In previous reports cases were assigned to judicial districts based on the county in which the trial or settlement was

---

<sup>4</sup>During the 2004 legislative session significant workers' compensation reform was enacted. However the changes do not impact the 2003 closed claim data. Therefore, the summary explains the law in effect for the claims closed in 2003.

approved. As the reliance on the Department of Labor and Workforce Development to approve settlements increased, this left a higher percentage each year not always assignable to a specific judicial district due to the county field<sup>5</sup> on the SD-1 being filled out consistently. Therefore, for 2003, if the county field was left blank, data from the county of residence at conclusion field<sup>6</sup> was used as an alternative. Doing so placed 2,809 cases in judicial districts that would otherwise have been listed as “judicial district not given.”

---

<sup>5</sup>Field 86 on the SD-1.

<sup>6</sup>Field 12 on the SD-1.

## **METHODS**

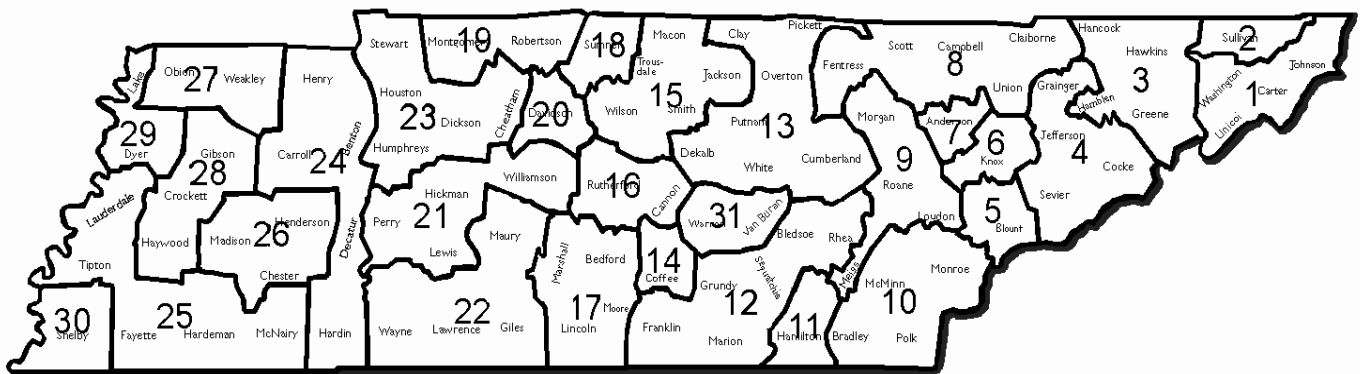
Pursuant to various Tennessee statutes, participants in the Tennessee workers' compensation system are required to send certain reports to the Tennessee Department of Labor and Workforce Development (hereinafter Department). One report, the "Employer's First Report of Work Injury or Illness" (hereinafter First Report or C-20), is the document that initiates a claim file within the Department for a reportable workers' compensation claim. This form is required to be completed by the employer for every work-related injury that results in medical care or lost time from work. One of the final reports received by the Department is the "Statistical Data Form" (hereinafter SD-1). It is the closing document for a claim in which a permanent injury is sustained. The SD-1 form is filed by the attorney representing the employer/insurance carrier with the clerk of the court in which a claim is concluded by trial or settlement and the clerk then transmits the completed SD-1 form to the Department. For settlement agreements approved by the Department, the SD-1 form is submitted to the Department at the time of the approval.

The Department operates an integrated computer system which is referred to as the "Workers' Compensation Computer System" (hereinafter WCS). It is into this database that the information from the First Report and the SD-1 forms are entered. The Department has given the staff for the Workers' Compensation Advisory Council access to the WCS.

Advisory Council staff on three occasions between December 4, 2003 and February 19, 2004 queried the WCS for closed case data from calendar year 2003, with injury dates on or after August 1, 1992, the date on which the 1992 Workers' Compensation Reform Act began to apply to work-related injuries. Data were retrieved from the SD-1 forms. A total of 10,394 cases concluding in calendar year 2003 were collected. This data set should not be considered a sample. Rather, it is the entire population of cases that concluded in the time frames specified and for which a SD-1 form was filed with the Department.

To be able to discern the importance of the various tables and figures that follow, the reader must understand Tennessee is made up of 31 Judicial Districts. The judges and chancellors of each

District hear workers' compensation cases in all the counties that comprise the individual District. There are eight Judicial Districts that have only one county. The other twenty-three vary in the number of counties that comprise the District. To assist the reader in determining the counties in each Judicial District the following is a map of Tennessee displaying the 31 Judicial Districts and the counties in each.



## NUMBER OF CASES

Table 1 lists the number of cases per judicial district and county that were closed in calendar year 2003. The table contains: the number of SD-1 forms received by the Department of Labor and Workforce Development (the Department) and the number of workers' compensation cases reported as closed in 2003 by the various county clerks to the Administrative Office of the Courts (AOC). The table also contains a calculated percentage comparison between the number of workers' compensation cases reported as closed by the AOC and the number of SD-1 forms received by the Department. The AOC data come from the monthly closing report each court clerk is required to submit to the AOC. The report lists the number and type of cases (complaints/lawsuits) closed during the preceding month.<sup>7</sup>

It is important to note that a workers' compensation claim can be settled between the parties and the settlement approved by the Department without the parties ever filing a complaint in a court. These particular cases will not be included in the AOC closed workers' compensation case data as the court will never have had the case. As a result, the percentage comparison of SD-1 forms received to the number of AOC closed workers' compensation cases will be somewhat less than that which is reported in Table 1.

One of the ways in which the data from the SD-1 forms is analyzed is to identify the county in which the claim/case was concluded and to assign the data to the appropriate judicial district (JD). Thus, the reader must be aware that for data contained in Table 1 and in other parts of this statistical report to be divided into judicial districts, it is necessary for the SD-1 form to contain the name of the county in which the claim was concluded and the SD-1 form filed. Even after the county of residence at conclusion is substituted for those in which the conclusion county is missing, many SD-1 forms submitted and filed by the attorneys do not contain county information. As a result, the data related to these specific SD-1 forms are reported under the designation "JD Not Given". In 1,178 cases (11%), the county in which the case was concluded cannot be determined from the SD-1 form.

---

<sup>7</sup> The AOC provided Council staff with this information for calendar year 2003 and staff deeply appreciates their assistance and cooperation.

Since data has been received from all judicial districts, it can be assumed the data throughout this report is representative of the entire state. However, when comparing the number of SD-1 forms with the number of cases concluded in 2003 according to the AOC, 24% of cases concluded do not have SD-1 forms. It is not known whether there is something specific about the 24% of cases without SD-1 forms that is unique, making the statewide figures not necessarily generalizable. For example, the cases where forms were not filed could all be a specific conclusion type (such as settlement - no complaint filed); they all could be from the same attorney(s); or any number of possibilities. For purposes of reporting statewide data in this statistical report, it is assumed the reasons for unfilled SD-1 forms are random. However, this is an assumption that cannot be tested. The percentage of SD-1 forms filed compared to the number of cases concluded by the AOC historically decreased, 86% in 2000, 76% in 2001 and 73% in 2002 then increased to 76% in 2003.

**Table 1: Workers' Compensation Cases Reported as Closed in Calendar Year 2003**

| Judicial District | County |            | Number of Cases | AOC Number | Percent | Judicial District | County |            | Number of Cases | AOC Number | Percent |
|-------------------|--------|------------|-----------------|------------|---------|-------------------|--------|------------|-----------------|------------|---------|
| 1                 | 10     | Carter     | 68              | 50         | 136.0%  | 16                | 8      | Cannon     | 1               | 17         | 5.9%    |
|                   | 46     | Johnson    | 9               | 10         | 90.0%   |                   | 75     | Rutherford | 497             | 697        | 71.3%   |
|                   | 86     | Unicoi     | 26              | 29         | 89.7%   | Total             |        |            | 498             | 714        | 69.7%   |
|                   | 90     | Washington | 198             | 143        | 138.5%  | 17                | 2      | Bedford    | 29              | 118        | 24.6%   |
|                   | Total  |            | 301             | 232        | 129.7%  |                   | 52     | Lincoln    | 29              | 37         | 78.4%   |
| 2                 | 82     | Sullivan   | 241             | 158        | 152.5%  |                   | 57     | Marshall   | 16              | 67         | 23.9%   |
|                   | Total  |            | 241             | 158        | 152.5%  |                   | 62     | Moore      | 5               | 6          | 83.3%   |
| 3                 | 30     | Greene     | 100             | 94         | 106.4%  | Total             |        |            | 79              | 228        | 34.6%   |
|                   | 32     | Hamblen    | 7               | 2          | 350.0%  | 18                | 83     | Sumner     | 117             | 243        | 48.1%   |
|                   | 34     | Hancock    | 96              | 173        | 55.5%   |                   | Total  |            | 117             | 243        | 48.1%   |
|                   | 37     | Hawkins    | 102             | 69         | 147.8%  | 19                | 61     | Montgomery | 139             | 239        | 58.2%   |
| Total             |        |            | 305             | 338        | 90.2%   |                   | 74     | Robertson  | 60              | 144        | 41.7%   |
| 4                 | 15     | Cocke      | 53              | 64         | 82.8%   | Total             |        |            | 199             | 383        | 52.0%   |
|                   | 29     | Grainger   | 26              | 28         | 92.9%   | 20                | 19     | Davidson   | 1458            | 3058       | 47.7%   |
|                   | 45     | Jefferson  | 50              | 89         | 56.2%   |                   | Total  |            | 1458            | 3058       | 47.7%   |
|                   | 78     | Sevier     | 115             | 112        | 102.7%  | 21                | 41     | Hickman    | 5               | 13         | 38.5%   |
| Total             |        |            | 244             | 293        | 83.3%   |                   | 51     | Lewis      | 9               | 20         | 45.0%   |
| 5                 | 5      | Blount     | 144             | 106        | 135.8%  |                   | 68     | Perry      | 7               | 14         | 50.0%   |
|                   | Total  |            | 144             | 106        | 135.8%  |                   | 94     | Williamson | 46              | 103        | 44.7%   |
| 6                 | 47     | Knox       | 755             | 827        | 91.3%   | Total             |        |            | 67              | 150        | 44.7%   |
|                   | Total  |            | 755             | 827        | 91.3%   | 22                | 28     | Giles      | 23              | 50         | 46.0%   |
| 7                 | 1      | Anderson   | 261             | 373        | 70.0%   |                   | 50     | Lawrence   | 28              | 77         | 36.4%   |
|                   | Total  |            | 261             | 373        | 70.0%   |                   | 58     | Maury      | 83              | 212        | 39.2%   |
| 8                 | 7      | Campbell   | 81              | 111        | 73.0%   |                   | 91     | Wayne      | 9               | 26         | 34.6%   |
|                   | 13     | Claiborne  | 29              | 19         | 152.6%  | Total             |        |            | 143             | 365        | 39.2%   |
|                   | 25     | Fentress   | 9               | 37         | 24.3%   | 23                | 11     | Cheatham   | 20              | 44         | 45.5%   |
|                   | 76     | Scott      | 46              | 62         | 74.2%   |                   | 22     | Dickson    | 28              | 75         | 37.3%   |
|                   | 87     | Union      | 32              | 29         | 110.3%  |                   | 42     | Houston    | 8               | 9          | 88.9%   |
| Total             |        |            | 197             | 258        | 76.4%   |                   | 43     | Humphreys  | 10              | 27         | 37.0%   |
| 9                 | 53     | Loudon     | 87              | 71         | 122.5%  |                   | 81     | Stewart    | 6               | 14         | 42.9%   |
|                   | 59     | Meigs      | 6               | 3          | 200.0%  | Total             |        |            | 72              | 169        | 42.6%   |
|                   | 63     | Morgan     | 30              | 36         | 83.3%   | 24                | 3      | Benton     | 46              | 73         | 63.0%   |
|                   | 73     | Roane      | 165             | 204        | 80.9%   |                   | 9      | Carroll    | 72              | 88         | 81.8%   |
| Total             |        |            | 288             | 314        | 91.7%   |                   | 20     | Decatur    | 13              | 29         | 44.8%   |
| 10                | 6      | Bradley    | 117             | 188        | 62.2%   |                   | 36     | Hardin     | 37              | 56         | 66.1%   |
|                   | 64     | McMinn     | 63              | 84         | 75.0%   |                   | 40     | Henry      | 86              | 143        | 60.1%   |
|                   | 60     | Monroe     | 73              | 68         | 107.4%  | Total             |        |            | 254             | 389        | 65.3%   |
|                   | 70     | Polk       | 8               | 11         | 72.7%   | 25                | 24     | Fayette    | 26              | 11         | 236.4%  |
| Total             |        |            | 261             | 351        | 74.4%   |                   | 35     | Hardeman   | 35              | 34         | 102.9%  |
| 11                | 33     | Hamilton   | 776             | 1134       | 68.4%   |                   | 49     | Lauderdale | 38              | 77         | 49.4%   |
|                   | Total  |            | 776             | 1134       | 68.4%   |                   | 65     | McNairy    | 23              | 41         | 56.1%   |
| 12                | 4      | Bledsoe    | 6               | 9          | 66.7%   |                   | 84     | Tipton     | 48              | 38         | 126.3%  |
|                   | 26     | Franklin   | 51              | 128        | 39.8%   | Total             |        |            | 170             | 201        | 84.6%   |
|                   | 31     | Grundy     | 10              | 22         | 45.5%   | 26                | 12     | Chester    | 15              | 32         | 46.9%   |
|                   | 56     | Marion     | 39              | 62         | 62.9%   |                   | 39     | Henderson  | 24              | 119        | 20.2%   |
|                   | 72     | Rhea       | 38              | 63         | 60.3%   |                   | 55     | Madison    | 278             | 525        | 53.0%   |
|                   | 77     | Sequatchie | 10              | 13         | 76.9%   | Total             |        |            | 317             | 676        | 46.9%   |
| Total             |        |            | 154             | 297        | 51.9%   | 27                | 66     | Obion      | 164             | 315        | 52.1%   |
| 13                | 14     | Clay       | 3               | 14         | 21.4%   |                   | 92     | Weakley    | 63              | 97         | 64.9%   |
|                   | 18     | Cumberland | 52              | 71         | 73.2%   | Total             |        |            | 227             | 412        | 55.1%   |
|                   | 21     | DeKalb     | 35              | 61         | 57.4%   | 28                | 17     | Crockett   | 19              | 18         | 105.6%  |
|                   | 67     | Overton    | 3               | 34         | 8.8%    |                   | 27     | Gibson     | 77              | 110        | 70.0%   |
|                   | 69     | Pickett    | 1               | 11         | 9.1%    |                   | 38     | Haywood    | 30              | 24         | 125.0%  |
|                   | 71     | Putnam     | 76              | 191        | 39.8%   | Total             |        |            | 126             | 152        | 82.9%   |
|                   | 93     | White      | 11              | 50         | 22.0%   | 29                | 23     | Dyer       | 83              | 154        | 53.9%   |
| Total             |        |            | 181             | 432        | 41.9%   |                   | 48     | Lake       | 3               | 10         | 30.0%   |
| 14                | 16     | Coffee     | 72              | 147        | 49.0%   | Total             |        |            | 86              | 164        | 52.4%   |
|                   | Total  |            | 72              | 147        | 49.0%   | 30                | 79     | Shelby     | 1032            | 686        | 150.4%  |
| 15                | 44     | Jackson    | 3               | 5          | 60.0%   |                   | Total  |            | 1032            | 686        | 150.4%  |
|                   | 56     | Macon      | 14              | 54         | 25.9%   | 31                | 88     | Van Buren  | 2               | 4          | 50.0%   |
|                   | 80     | Smith      | 13              | 55         | 23.6%   |                   | 89     | Warren     | 60              | 100        | 60.0%   |
|                   | 85     | Trousdale  | 1               | 7          | 14.3%   |                   | Total  |            | 62              | 104        | 59.6%   |
|                   | 95     | Wilson     | 98              | 231        | 42.4%   | JD Not Given      |        |            | 1178            |            |         |
| Total             |        |            | 129             | 352        | 36.6%   | Statewide         |        |            | 10394           | 13706      | 75.8%   |

## CONCLUSION TYPES

Workers' compensation cases may be concluded four different ways in Tennessee:

1. Trial [A complaint is filed, the case does not settle and the case is tried before a judge who determines the outcome of the case. These cases are reported to the AOC by the clerks.]
2. Settlement - Complaint Filed [A complaint is filed, but the parties reach a settlement agreement prior to trial. Such a settlement may be approved by the court or the Department of Labor and Workforce Development. If the Department approves the settlement, an order of dismissal must be filed in the court in which the complaint was filed. These cases would then be reported to the AOC.]
3. Joint Petition Settlement [A complaint is not filed. However, the parties reach an agreed settlement and the agreement is presented to a court for approval. The court requires a petition and an order to be filed. These cases are reported to the AOC.]
4. Settlement Approved by Department of Labor and Workforce Development [The Department has the authority to approve settlements reached in cases in which a complaint has been filed and in cases in which no complaint has been filed. If no complaint has been filed, then this closing information is not forwarded to the AOC. If a complaint has been filed, then the parties must file an Order of Nonsuit or take other actions to assure the case is dismissed by the court and taken off the court's docket. In these cases, the conclusion will be reported to the AOC.]

Table 2 lists the numbers and percentages of each type of conclusion for the entire state for the past four calendar years, 2000-2003. In 2003, 2.9% of the cases were resolved by trial. Settlements after a complaint was filed accounted for 26.4% of the cases and joint petition settlements equaled 28.2%. The Department approved settlements in 39.0% of the cases. In 2003, only 1.9% of the SD-1 forms did not indicate the type of conclusion. This is much better than in past years. When a case is voluntarily dismissed is now being captured and reported. For 2003, 1.6% of cases were voluntary dismissals.

The percentages of each conclusion type are not largely different from those of calendar year 2002.

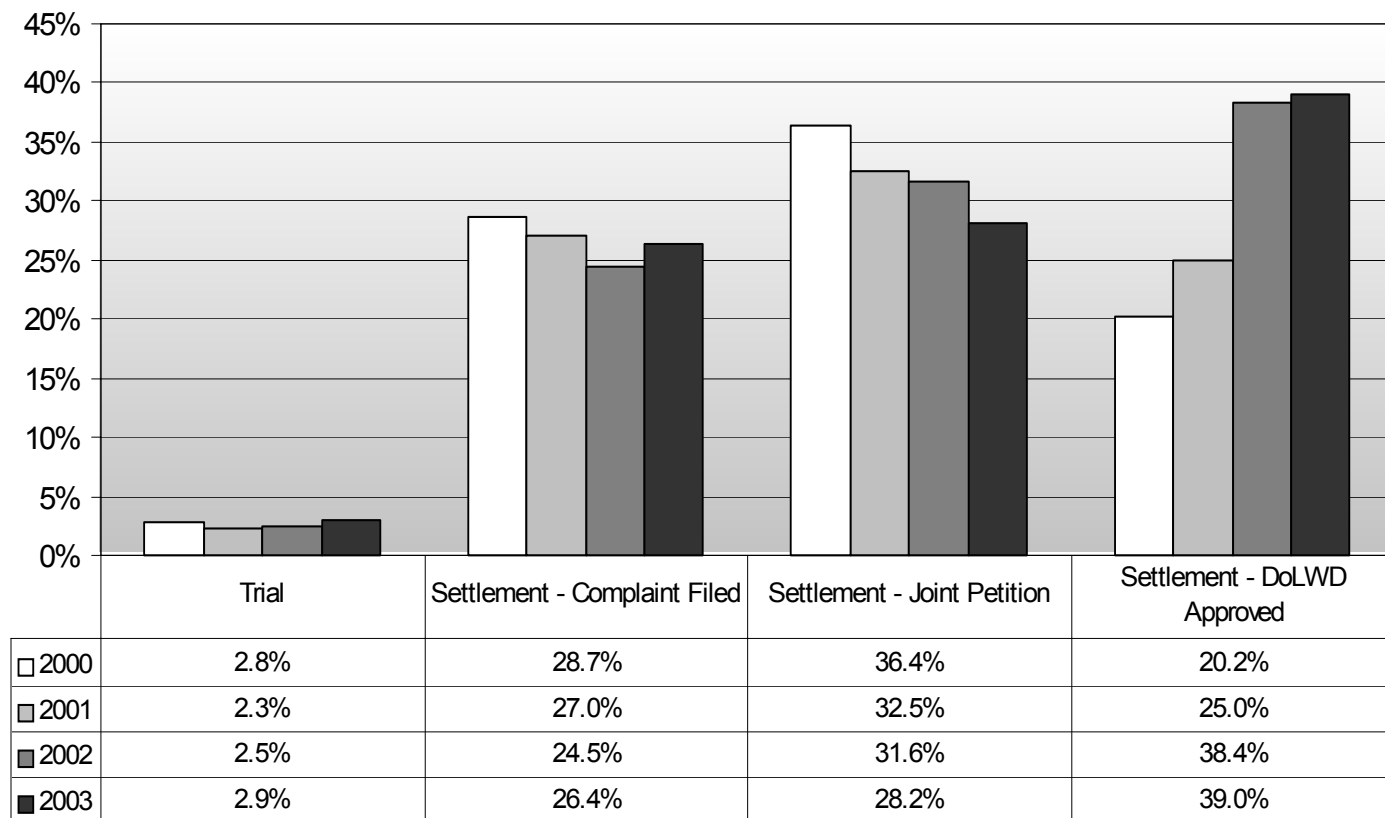
The conclusion type and percentage data from Table 2 are represented graphically in Figure 2. Table 3 lists the number of each type of conclusion by judicial district for 2003 cases.

**Table 2: Types of Conclusions**

|                                     | CY 2000 |         | CY 2001 |         | CY 2002 |         | CY 2003 |         |
|-------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
|                                     | Number  | Percent | Number  | Percent | Number  | Percent | Number  | Percent |
| <b>Trial</b>                        | 321     | 2.8%    | 247     | 2.3%    | 243     | 2.5%    | 304     | 2.9%    |
| <b>Settlement - Complaint Filed</b> | 3281    | 28.7%   | 2868    | 27.0%   | 2417    | 24.5%   | 2742    | 26.4%   |
| <b>Settlement - Joint Petition</b>  | 4163    | 36.4%   | 3443    | 32.5%   | 3120    | 31.6%   | 2931    | 28.2%   |
| <b>Settlement - DoLWD Approved</b>  | 2303    | 20.2%   | 2655    | 25.0%   | 3793    | 38.4%   | 4053    | 39.0%   |
| <b>Conclusion Type Not Given</b>    | 1357    | 11.9%   | 1392    | 13.1%   | 304     | 3.1%    | 196     | 1.9%    |
| <b>Voluntary Dismissal</b>          | n/c     |         | n/c     |         | n/c     |         | 168     | 1.6%    |
| <b>Total</b>                        | 11425   |         | 10605   |         | 9877    |         | 10394   |         |

n/c = not captured

**FIGURE 1: TYPES OF CONCLUSIONS**



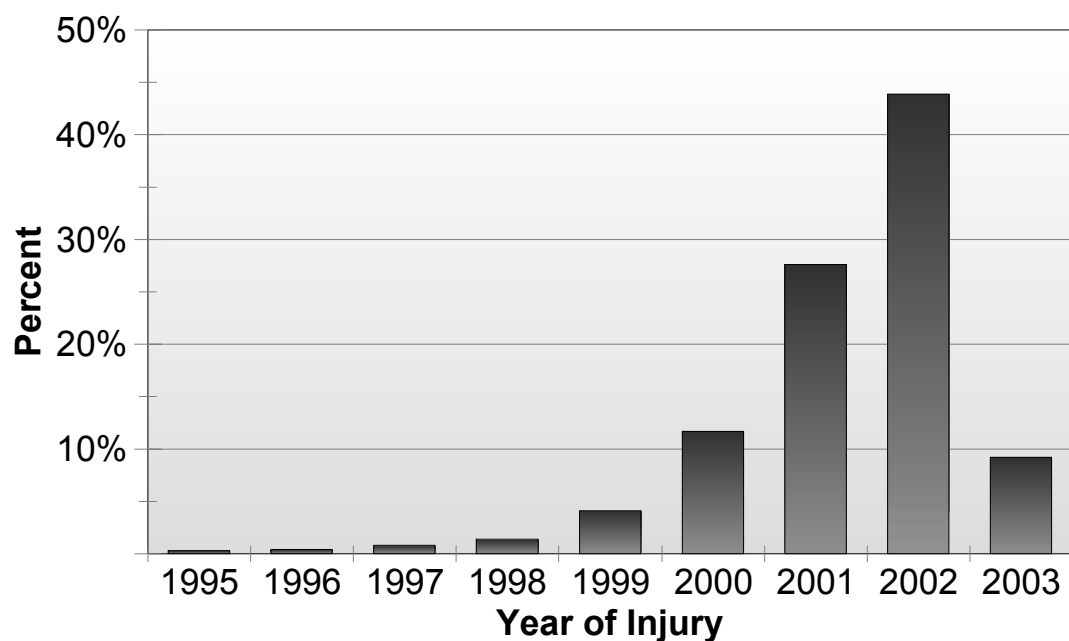
**TABLE 3: CALENDAR YEAR - 2003: TYPES OF CONCLUSIONS**

| Judicial District | Trial | Settlement - Complaint Filed | Settlement - Joint Petition | Settlement - DoLWD Approved | Voluntary Dismissal | Conclusion Type Not Given | Total |
|-------------------|-------|------------------------------|-----------------------------|-----------------------------|---------------------|---------------------------|-------|
| 1                 | 6     | 34                           | 1                           | 263                         | 2                   |                           | 306   |
| 2                 | 7     | 18                           | 7                           | 211                         | 3                   |                           | 246   |
| 3                 | 5     | 32                           | 44                          | 209                         | 17                  | 2                         | 309   |
| 4                 | 4     | 42                           | 16                          | 179                         | 6                   | 3                         | 250   |
| 5                 | 1     | 25                           | 15                          | 94                          | 6                   | 3                         | 144   |
| 6                 | 24    | 159                          | 140                         | 414                         | 17                  | 6                         | 760   |
| 7                 | 10    | 108                          | 74                          | 66                          | 5                   | 1                         | 264   |
| 8                 | 6     | 91                           | 5                           | 90                          | 6                   | 3                         | 201   |
| 9                 | 12    | 119                          | 17                          | 138                         | 3                   | 1                         | 290   |
| 10                | 8     | 106                          | 53                          | 78                          | 8                   | 9                         | 262   |
| 11                | 18    | 229                          | 426                         | 89                          | 7                   | 8                         | 777   |
| 12                | 6     | 83                           | 23                          | 41                          | 1                   |                           | 154   |
| 13                | 6     | 75                           | 51                          | 42                          | 6                   | 2                         | 182   |
| 14                | 6     | 38                           | 7                           | 19                          | 1                   | 1                         | 72    |
| 15                | 12    | 60                           | 17                          | 32                          | 6                   | 2                         | 129   |
| 16                | 43    | 193                          | 218                         | 29                          | 11                  | 5                         | 499   |
| 17                | 5     | 30                           | 16                          | 25                          | 3                   |                           | 79    |
| 18                | 7     | 61                           | 20                          | 27                          | 1                   | 1                         | 117   |
| 19                | 8     | 104                          | 35                          | 44                          | 6                   | 3                         | 200   |
| 20                | 12    | 287                          | 1034                        | 91                          | 11                  | 24                        | 1459  |
| 21                | 1     | 24                           | 10                          | 32                          | 1                   |                           | 68    |
| 22                | 5     | 52                           | 50                          | 27                          | 3                   | 6                         | 143   |
| 23                | 4     | 28                           | 8                           | 31                          | 1                   | 1                         | 73    |
| 24                | 20    | 92                           | 11                          | 127                         | 1                   | 4                         | 255   |
| 25                | 2     | 31                           | 9                           | 135                         | 1                   |                           | 178   |
| 26                | 12    | 122                          | 81                          | 95                          | 4                   | 3                         | 317   |
| 27                | 30    | 112                          | 29                          | 48                          | 3                   | 5                         | 227   |
| 28                | 10    | 31                           | 11                          | 71                          | 2                   | 1                         | 126   |
| 29                | 4     | 24                           | 6                           | 53                          |                     |                           | 87    |
| 30                | 2     | 80                           | 90                          | 851                         | 13                  | 13                        | 1049  |
| 31                | 5     | 34                           | 16                          | 6                           |                     | 1                         | 62    |
| JD Not Given      | 3     | 218                          | 391                         | 396                         | 13                  | 88                        | 1109  |
| Statewide         | 304   | 2742                         | 2931                        | 4053                        | 196                 | 168                       | 10394 |
| Percent           | 2.9%  | 26.4%                        | 28.4%                       | 39.0%                       | 1.9%                | 1.6%                      |       |

## CASE LENGTH

Figure 2 displays the frequencies of cases closed in 2003 by the year of injury. 88% of the cases are closed within three years, 77% within two years and 31% within one year of the date of injury. These numbers are consistent with previously reported data.

**Figure 2: Calendar Year - 2003: Number of Cases Closed by Injury Year**



## DATE OF INJURY TO DATE OF CONCLUSION

The average number of weeks from the date of injury to the date of settlement approval or date of trial in 2003 is listed by judicial district as well as for all of Tennessee in Table 4. The mean number of weeks from injury to conclusion is 90.7 weeks and ranges from 81.1 weeks in Judicial District 3 to 138.9 weeks in Judicial District 9. Differences between judicial districts are statistically significant.<sup>8</sup> Because of the increase in time from injury to MMI, the mean number of weeks from injury to conclusion increased from 83.8 weeks in 2000 to 90.7 weeks in 2003. Figure 3 displays the number of weeks from injury to conclusion by injury year and conclusion type. Reversing the trend from 2000 to 2002, the time from injury to conclusion has decreased for trials in 2003, from 144 to 132 but still is over 2.5 years.

Cases that are settled are taking longer to reach conclusion. Settlements where a complaint has been filed are up from 97 weeks in 2000 to 121 weeks in 2003. Joint petition settlements are up from 52 weeks in 2000 to 72 weeks in 2003 and Department approved settlements are up from 64 weeks in 2000 to 79 weeks in 2003.

## DATE OF INJURY TO MAXIMUM MEDICAL IMPROVEMENT

Table 5 displays the average number of weeks from the date of injury to the date of maximum medical improvement (MMI). The mean number of weeks from the date of injury to the date of MMI for calendar year 2003 is 44.7 weeks. The data ranges from 38.9 weeks in Judicial Districts 5 and 30 to 55.8 weeks in Judicial District 10. The mean number of weeks from the date of injury to the date of MMI is increasing over time from 41.6 in 2000 to 44.7 in 2003. Differences between judicial districts are statistically significant.<sup>9</sup>

Figure 4 displays date of injury to date of MMI data broken up by conclusion type and year of conclusion. For cases that go to trial, the time from injury to MMI is nearly 53 weeks, for settlements where a complaint has been filed, 54 weeks, for joint petition settlements, 41 weeks and

---

<sup>8</sup>  $p < .01$  Kruskal Wallis Test

<sup>9</sup>  $p < .01$  Kruskal Wallis Test

for Department approved settlements, also 41 weeks. For all conclusion types, the amount of time from injury to MMI is increasing from 2000 to 2003, 2.3% longer from 2000 to 2001, 3.4% longer from 2001 to 2002 and 1.6% from 2002 to 2003.

#### MAXIMUM MEDICAL IMPROVEMENT TO DATE OF CONCLUSION

Table 6 lists the average number of weeks from MMI to conclusion for each judicial district as well as for all of Tennessee for cases concluding in 2003. The mean number of weeks from MMI to conclusion is 41.2 weeks. The data ranges from 33.4 weeks in Judicial District 5 to 69.6 in Judicial District 21. Differences between judicial districts are statistically significant.<sup>10</sup> The mean number of weeks from MMI to conclusion was virtually constant from 2000 to 2002, then increased by 2.5 weeks in 2003. In 2003, it took an average of 73.4 weeks for a case to go to trial after MMI had been reached, almost 7 weeks fewer than in 2002. However, despite the improvements, on average an injured worker waits approximately a year and a half after reaching MMI before receiving any permanent disability compensation.<sup>11</sup>

Parties are taking longer before submitting to the Department for approval. The time from MMI to Department approved settlements increased from 33 weeks in 2000 to 37.4 weeks in 2003. Figure 5 displays the mean number of weeks from MMI to conclusion broken up by injury year and conclusion type.

---

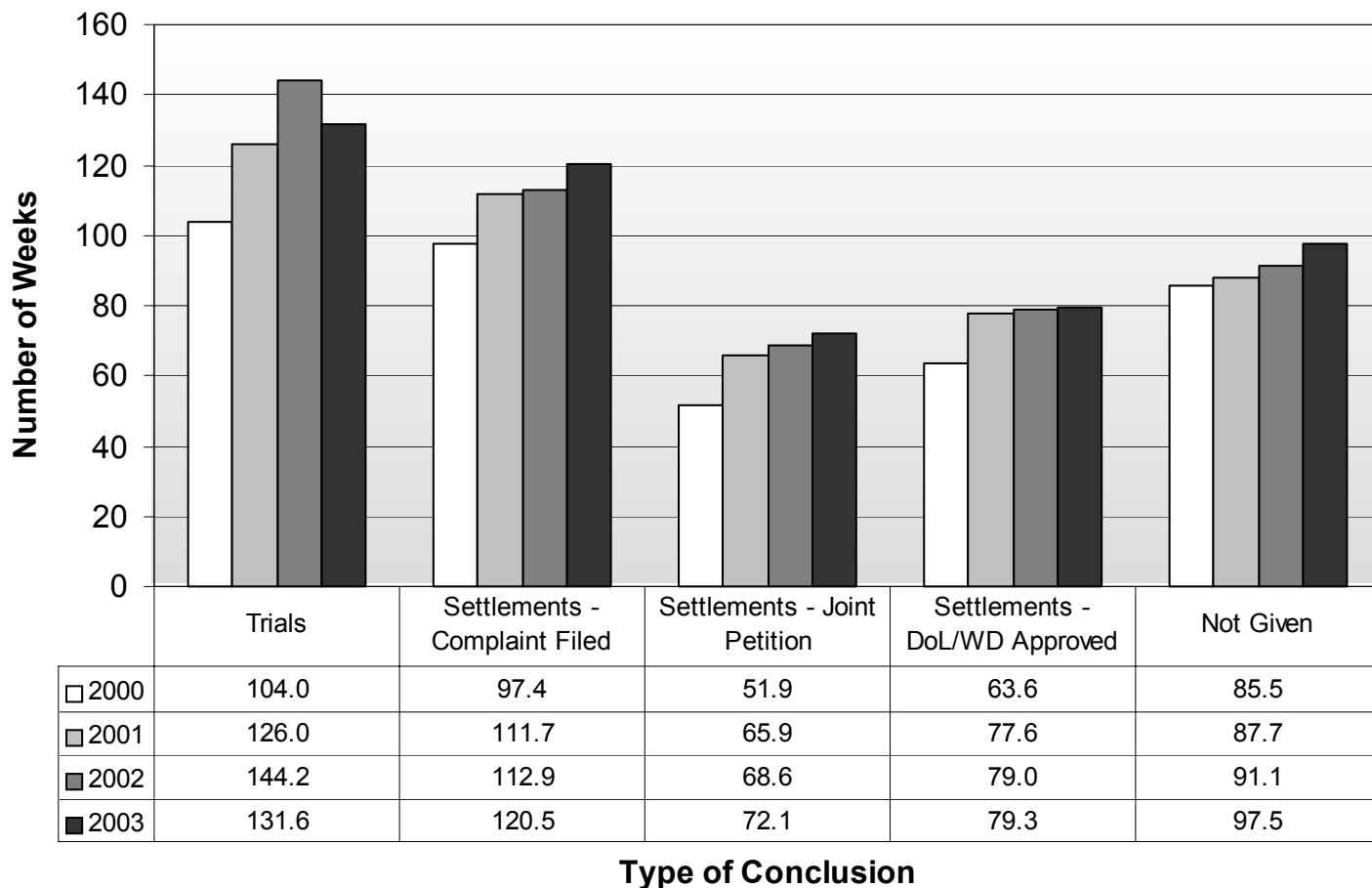
<sup>10</sup>  $p < .01$  Kruskal Wallis Test

<sup>11</sup> This amount of time (73.4 weeks) is roughly equivalent to a 20% PPD judgment to the body as a whole, which is what the average body as a whole return to work judgment/settlement is.

**Table 4: Calendar Year - 2003: Number of Weeks From Date of Injury to Date of Conclusion**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 288           | 96.6        | 76.9          | 76.0                  |
| 2                        | 225           | 100.0       | 81.0          | 71.3                  |
| 3                        | 286           | 81.1        | 61.0          | 58.8                  |
| 4                        | 236           | 94.6        | 75.9          | 73.5                  |
| 5                        | 132           | 84.3        | 68.9          | 64.3                  |
| 6                        | 731           | 82.8        | 66.3          | 70.0                  |
| 7                        | 246           | 130.1       | 96.4          | 115.9                 |
| 8                        | 196           | 103.8       | 83.0          | 73.0                  |
| 9                        | 269           | 138.9       | 92.1          | 139.6                 |
| 10                       | 249           | 115.4       | 94.1          | 77.2                  |
| 11                       | 765           | 92.9        | 75.1          | 66.3                  |
| 12                       | 151           | 110.6       | 90.9          | 82.5                  |
| 13                       | 181           | 100.3       | 82.1          | 60.7                  |
| 14                       | 70            | 93.0        | 87.9          | 48.9                  |
| 15                       | 122           | 89.1        | 74.1          | 54.9                  |
| 16                       | 493           | 93.5        | 78.3          | 64.0                  |
| 17                       | 75            | 91.2        | 81.6          | 48.6                  |
| 18                       | 116           | 96.1        | 82.1          | 62.3                  |
| 19                       | 193           | 113.9       | 100.4         | 66.5                  |
| 20                       | 1442          | 73.9        | 60.4          | 52.9                  |
| 21                       | 63            | 113.4       | 95.1          | 79.3                  |
| 22                       | 137           | 110.1       | 99.7          | 71.2                  |
| 23                       | 71            | 106.7       | 85.0          | 74.3                  |
| 24                       | 237           | 96.0        | 86.1          | 51.1                  |
| 25                       | 168           | 90.7        | 75.2          | 58.1                  |
| 26                       | 309           | 85.7        | 74.7          | 56.6                  |
| 27                       | 223           | 106.9       | 94.6          | 53.4                  |
| 28                       | 120           | 83.6        | 71.2          | 47.9                  |
| 29                       | 82            | 79.1        | 69.4          | 46.4                  |
| 30                       | 952           | 86.9        | 69.9          | 60.6                  |
| 31                       | 60            | 106.5       | 89.6          | 80.9                  |
|                          |               |             |               |                       |
| Not Given                | 1033          | 71.2        | 56.1          | 60.8                  |
|                          |               |             |               |                       |
| Statewide                | 9921          | 90.7        | 72.4          | 69.7                  |
|                          |               |             |               |                       |
| CY2002                   | 9826          | 85.7        | 71.6          | 59.6                  |
| CY2001                   | 10566         | 85.4        | 69.9          | 59.4                  |
| CY2000                   | 11330         | 83.8        | 69.0          | 57.5                  |

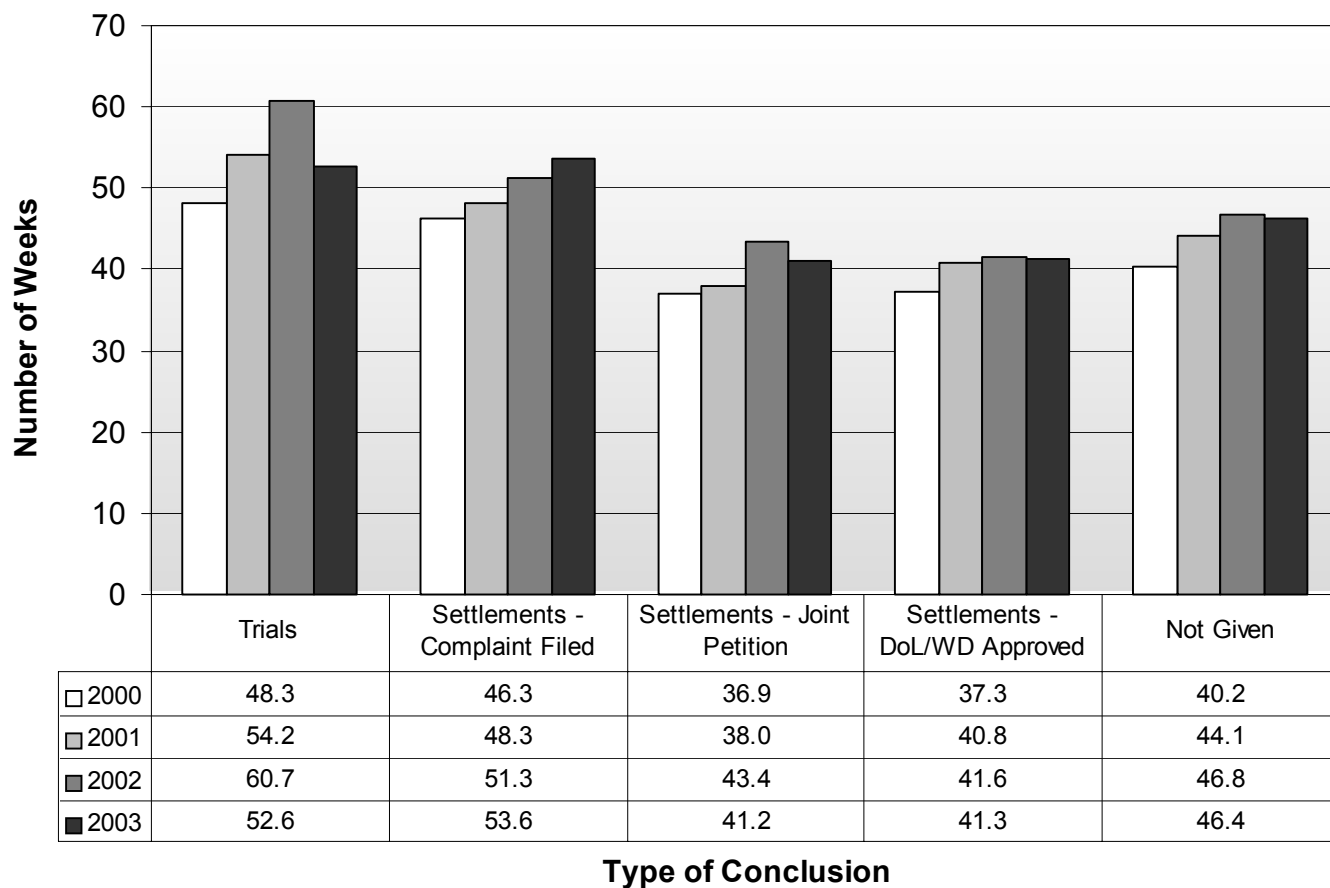
**Figure 3: Number of Weeks From Date of Injury to Date of Conclusion By Conclusion Type**



**Table 5: Calendar Year - 2003: Number of Weeks From Date of Injury to Maximum Medical Improvement**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 274           | 44.2        | 34.4          | 35.6                  |
| 2                        | 211           | 52.2        | 34.9          | 46.8                  |
| 3                        | 268           | 44.7        | 32.0          | 40.2                  |
| 4                        | 213           | 47.9        | 35.7          | 43.5                  |
| 5                        | 118           | 38.9        | 31.9          | 26.1                  |
| 6                        | 564           | 41.8        | 32.6          | 34.2                  |
| 7                        | 167           | 51.0        | 33.6          | 56.3                  |
| 8                        | 154           | 48.2        | 37.2          | 38.6                  |
| 9                        | 178           | 51.8        | 34.9          | 54.7                  |
| 10                       | 206           | 55.8        | 42.1          | 47.8                  |
| 11                       | 633           | 49.6        | 38.6          | 37.4                  |
| 12                       | 117           | 53.2        | 40.3          | 40.3                  |
| 13                       | 135           | 53.0        | 40.1          | 41.4                  |
| 14                       | 59            | 40.4        | 31.6          | 26.8                  |
| 15                       | 97            | 41.0        | 34.4          | 29.3                  |
| 16                       | 410           | 47.0        | 34.6          | 45.2                  |
| 17                       | 63            | 47.0        | 35.0          | 35.7                  |
| 18                       | 91            | 40.8        | 36.3          | 27.8                  |
| 19                       | 161           | 51.4        | 39.4          | 38.7                  |
| 20                       | 1192          | 39.6        | 30.6          | 31.4                  |
| 21                       | 54            | 41.2        | 35.4          | 29.4                  |
| 22                       | 106           | 53.9        | 40.4          | 45.4                  |
| 23                       | 63            | 54.2        | 33.1          | 54.1                  |
| 24                       | 223           | 43.7        | 33.3          | 34.9                  |
| 25                       | 160           | 45.4        | 33.5          | 42.1                  |
| 26                       | 263           | 46.2        | 37.1          | 42.2                  |
| 27                       | 171           | 52.5        | 40.1          | 41.5                  |
| 28                       | 110           | 43.5        | 33.0          | 40.3                  |
| 29                       | 77            | 41.6        | 29.1          | 35.3                  |
| 30                       | 941           | 38.9        | 28.4          | 31.9                  |
| 31                       | 43            | 45.4        | 40.6          | 25.3                  |
| JD Not Given             | 893           | 41.5        | 31.1          | 40.9                  |
| Statewide                | 8415          | 44.7        | 33.7          | 38.8                  |
| CY2002                   | 8143          | 44.0        | 33.9          | 36.9                  |
| CY2001                   | 8245          | 42.5        | 32.9          | 35.7                  |
| CY2000                   | 8836          | 41.6        | 31.4          | 35.8                  |

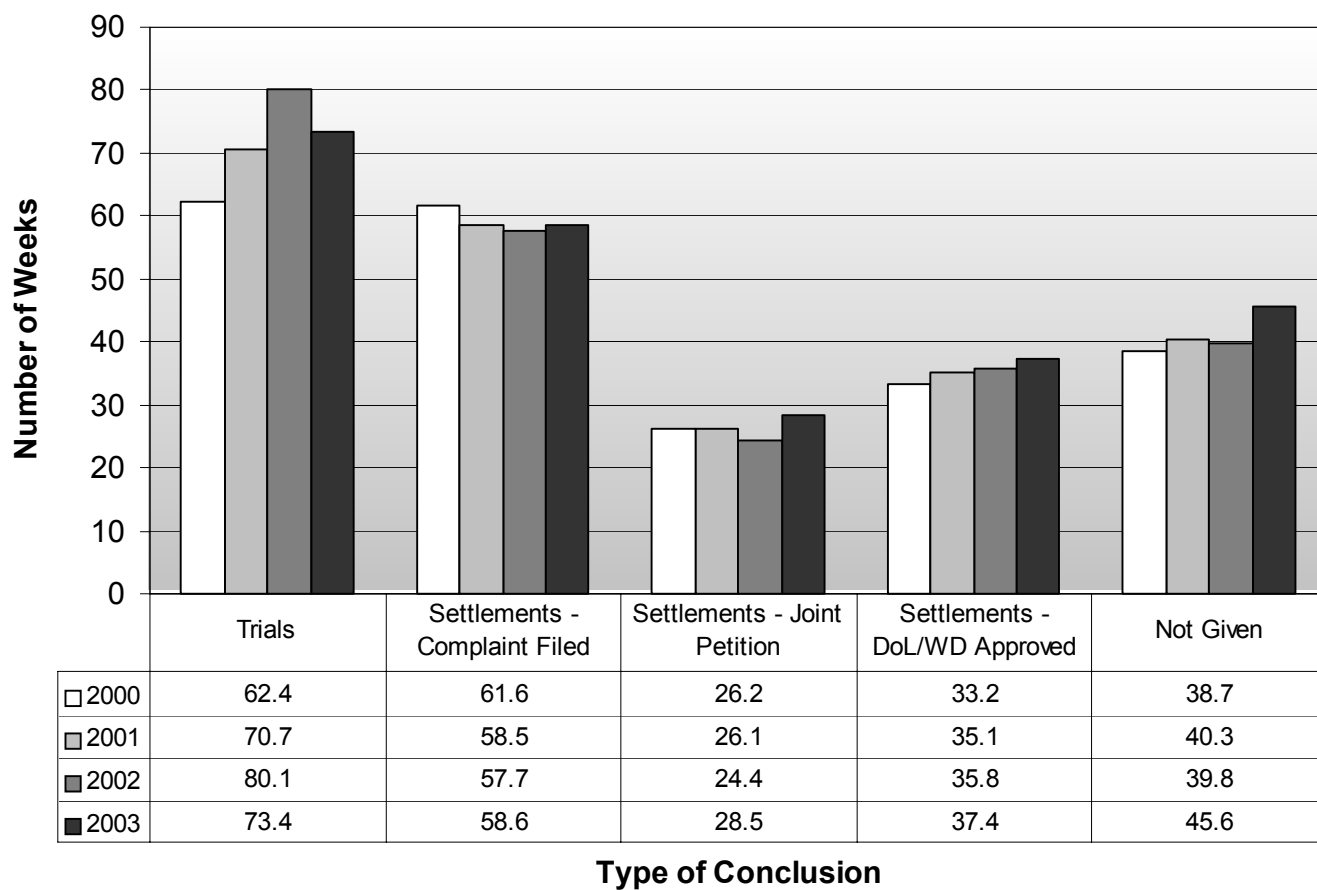
**Figure 4: Number of Weeks From Date of Injury to Maximum Medical Improvement by Conclusion Type**



**Table 6: Calendar Year - 2003: Number of Weeks From Maximum Medical Improvement to Date of Conclusion**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 261           | 48.6        | 27.6          | 97.3                  |
| 2                        | 193           | 42.8        | 29.7          | 47.2                  |
| 3                        | 245           | 36.1        | 23.1          | 39.4                  |
| 4                        | 202           | 41.6        | 27.9          | 42.8                  |
| 5                        | 109           | 33.4        | 20.3          | 34.7                  |
| 6                        | 547           | 36.0        | 23.1          | 38.7                  |
| 7                        | 173           | 50.0        | 34.0          | 53.5                  |
| 8                        | 149           | 49.4        | 27.9          | 51.4                  |
| 9                        | 175           | 44.0        | 30.6          | 41.8                  |
| 10                       | 192           | 51.5        | 36.2          | 47.0                  |
| 11                       | 623           | 38.2        | 24.6          | 42.8                  |
| 12                       | 114           | 42.6        | 31.7          | 34.8                  |
| 13                       | 137           | 48.7        | 34.4          | 47.8                  |
| 14                       | 58            | 46.4        | 37.1          | 36.6                  |
| 15                       | 90            | 44.7        | 30.8          | 40.2                  |
| 16                       | 410           | 46.1        | 30.0          | 79.4                  |
| 17                       | 59            | 40.7        | 29.7          | 40.8                  |
| 18                       | 92            | 52.6        | 38.1          | 51.2                  |
| 19                       | 157           | 57.7        | 42.3          | 50.4                  |
| 20                       | 1187          | 32.1        | 22.1          | 34.3                  |
| 21                       | 52            | 69.6        | 51.1          | 69.8                  |
| 22                       | 103           | 46.0        | 34.4          | 37.4                  |
| 23                       | 61            | 47.6        | 29.0          | 41.6                  |
| 24                       | 207           | 52.3        | 41.6          | 42.3                  |
| 25                       | 153           | 50.5        | 34.3          | 71.9                  |
| 26                       | 257           | 37.7        | 29.9          | 33.8                  |
| 27                       | 165           | 54.3        | 49.1          | 36.6                  |
| 28                       | 103           | 37.2        | 29.4          | 25.8                  |
| 29                       | 73            | 38.2        | 29.9          | 27.3                  |
| 30                       | 857           | 46.4        | 28.6          | 48.2                  |
| 31                       | 41            | 43.0        | 35.9          | 36.1                  |
| JD Not Given             | 829           | 30.9        | 19.9          | 59.9                  |
| Statewide                | 8074          | 41.2        | 27.3          | 50.4                  |
| CY2002                   | 8201          | 38.7        | 25.7          | 39.6                  |
| CY2001                   | 8282          | 38.9        | 25.4          | 40.9                  |
| CY2000                   | 8809          | 38.6        | 26.0          | 39.7                  |

**Figure 5: Number of Weeks From Maximum Medical Improvement to Date of Conclusion by Conclusion Type**



## DEMOGRAPHICS

### AVERAGE AGE

The mean age for workers involved in workers' compensation cases in Tennessee that were concluded in 2003 is 42.9 years and ranges from 40.9 years in Judicial District 12 to 47.0 years in Judicial District 7. Table 7 lists the average ages for all judicial districts as well as for the entire state. The average age of injured workers from 2000 to 2003 has increased from 41.5 to 42.9.

Figure 6 displays the distribution of ages for workers involved in Tennessee workers' compensation cases concluding in 2003. To limit the effects of potential errors in the data base, ages included in the analysis are limited to those over 14 years and less than 90 years. Differences between judicial districts are statistically significant.<sup>12</sup>

### LEVEL OF EDUCATION

The education levels of injured workers in Tennessee for cases concluding in 2003 are displayed in Table 8. Twenty (20) percent of workers have less than a high school education, 55% have a high school education or equivalent and just over 25% have more than a high school education. These numbers are similar to 2002 data for Tennessee.

### WEEKLY COMPENSATION RATE

Table 9 lists the average weekly compensation rates for each judicial district as well as for the entire state. Mean compensation rates for cases concluding in 2003 range from \$300.39 in Judicial District 24 to \$439.00 a week in Judicial District 16, with a statewide mean of \$355.60. Differences between judicial districts are statistically significant.<sup>13</sup> Possible differences in wages between districts could be from industry mix and/or cost of living. Mean weekly compensation

---

<sup>12</sup>  $p < .01$  Kruskal Wallis Test

<sup>13</sup>  $p < .01$  Kruskal Wallis Test

rates have increased steadily from \$319.10 for 2000 cases to \$355.60 for 2003 cases, which is at a rate of 3% to 4% per year.<sup>14</sup> Weekly compensation benefits are capped at 100% of the average weekly wage in Tennessee. For cases concluding in 2003, 15.0% of injured workers received benefits at the maximum compensation rate. In 2002, 14.4% were at the maximum compensation rate, 15.0% in 2001 and 15.9% in 2000. The distribution of weekly compensation rates is displayed in Figure 7.

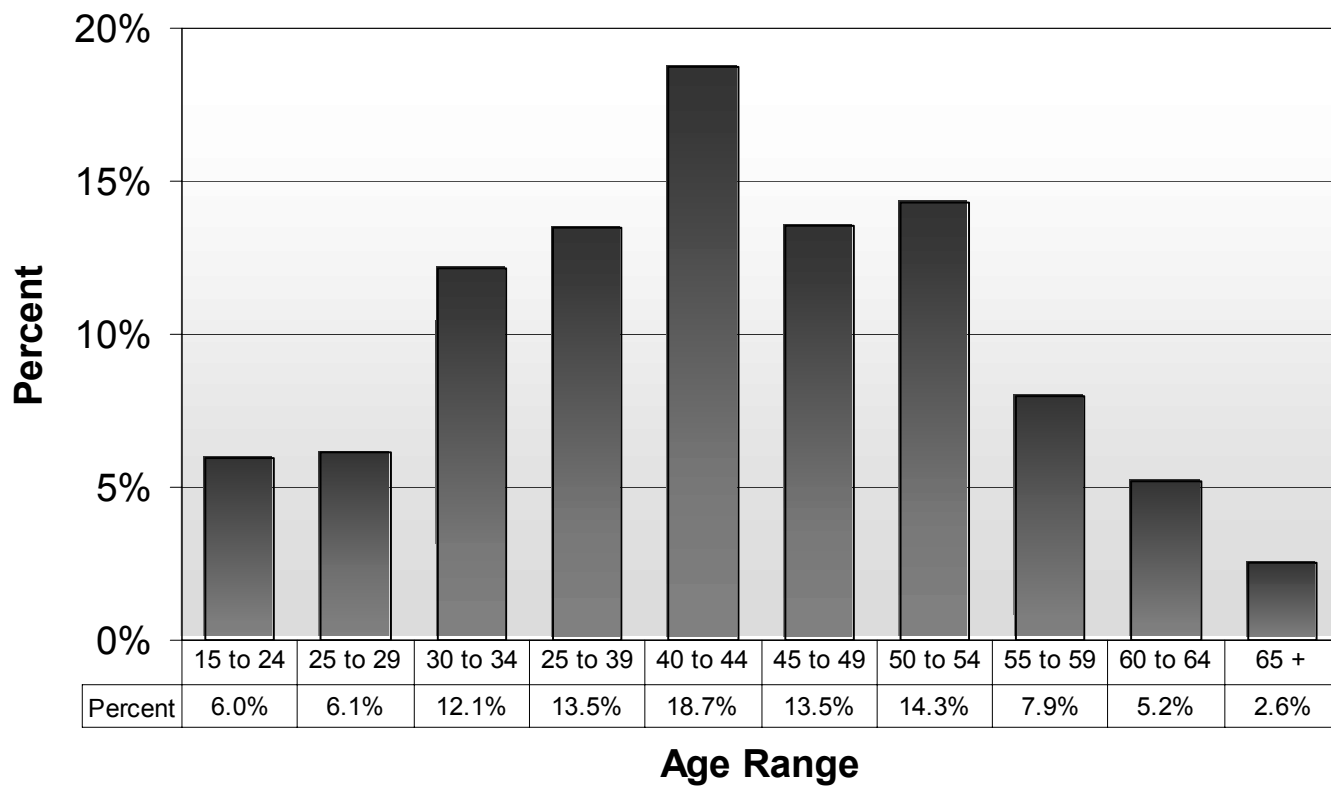
---

<sup>14</sup>For injuries occurring in the cases analyzed, the SAWW (state average weekly wage) increased 4.4% from 7/1/97 to 6/30/98, 4.8% from 7/1/98 to 6/30/99, 3.7% from 7/1/99 to 6/30/00, 3.2% from 7/1/00 to 6/30/01, 3.0% from 7/1/01 to 6/30/02 and 3.1% from 7/1/02 to 6/30/03.

**Table 7: Calendar Year - 2003: Age at Date of Injury**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 169           | 42.2        | 43.0          | 11.3                  |
| 2                        | 129           | 42.5        | 42.0          | 10.1                  |
| 3                        | 170           | 42.7        | 42.0          | 11.5                  |
| 4                        | 134           | 43.6        | 44.5          | 11.3                  |
| 5                        | 79            | 43.7        | 45.0          | 11.8                  |
| 6                        | 388           | 42.5        | 43.0          | 10.7                  |
| 7                        | 136           | 47.0        | 48.5          | 12.9                  |
| 8                        | 111           | 42.5        | 43.0          | 11.4                  |
| 9                        | 143           | 48.6        | 50.0          | 12.2                  |
| 10                       | 152           | 42.1        | 41.0          | 11.3                  |
| 11                       | 464           | 42.8        | 43.0          | 11.0                  |
| 12                       | 95            | 40.9        | 41.0          | 10.8                  |
| 13                       | 104           | 42.8        | 42.5          | 9.7                   |
| 14                       | 45            | 44.8        | 47.0          | 12.5                  |
| 15                       | 66            | 41.2        | 42.0          | 12.2                  |
| 16                       | 303           | 41.2        | 40.0          | 9.8                   |
| 17                       | 41            | 43.0        | 43.0          | 12.3                  |
| 18                       | 72            | 42.6        | 42.5          | 10.2                  |
| 19                       | 110           | 44.1        | 44.0          | 10.1                  |
| 20                       | 874           | 42.8        | 43.0          | 12.0                  |
| 21                       | 37            | 43.8        | 43.0          | 12.1                  |
| 22                       | 76            | 43.3        | 44.0          | 10.2                  |
| 23                       | 46            | 41.8        | 41.0          | 9.7                   |
| 24                       | 138           | 43.3        | 44.0          | 12.5                  |
| 25                       | 97            | 42.2        | 43.0          | 10.7                  |
| 26                       | 151           | 43.3        | 42.0          | 11.2                  |
| 27                       | 94            | 42.2        | 42.0          | 10.8                  |
| 28                       | 62            | 42.0        | 42.5          | 11.0                  |
| 29                       | 49            | 42.4        | 43.0          | 9.7                   |
| 30                       | 590           | 42.5        | 42.0          | 11.2                  |
| 31                       | 30            | 43.5        | 43.0          | 10.7                  |
|                          |               |             |               |                       |
| JD Not Given             | 684           | 43.2        | 43.0          | 11.3                  |
|                          |               |             |               |                       |
| Statewide                | 5839          | 42.9        | 43.0          | 11.3                  |
|                          |               |             |               |                       |
| CY2002                   | 6411          | 41.8        | 42.0          | 11.1                  |
| CY2001                   | 7302          | 41.6        | 41.0          | 11.3                  |
| CY2000                   | 7791          | 41.5        | 41.0          | 11.0                  |

**Figure 6: Calendar Year - 2003: Distribution - Age at Date of Injury**



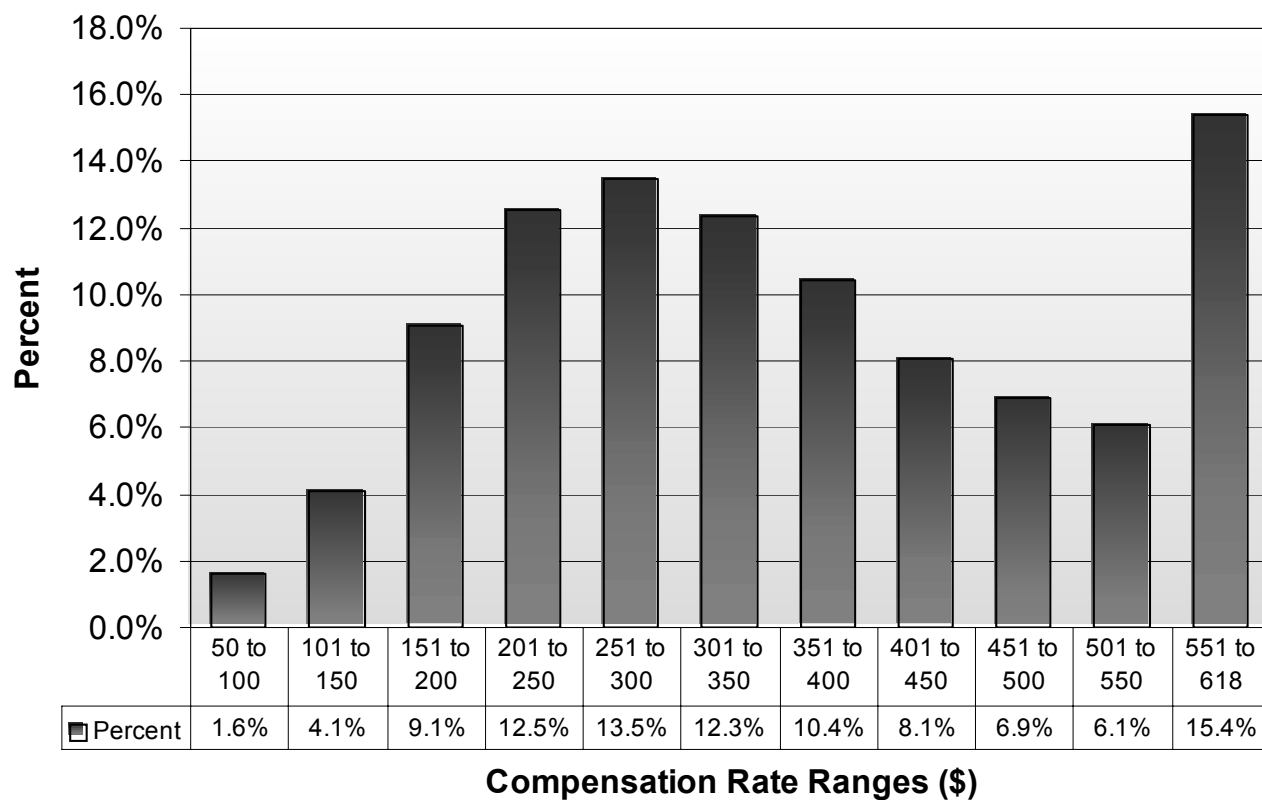
**Table 8: Calendar Year - 2003: Employee's Education Level**

| Judicial District | Less Than High School |         | High School |         | More Than High School |         |
|-------------------|-----------------------|---------|-------------|---------|-----------------------|---------|
|                   | N                     | Percent | N           | Percent | N                     | Percent |
| 1                 | 79                    | 28.5    | 132         | 47.7    | 66                    | 23.8    |
| 2                 | 60                    | 27.4    | 98          | 44.7    | 61                    | 27.9    |
| 3                 | 65                    | 24.6    | 156         | 59.1    | 43                    | 16.3    |
| 4                 | 39                    | 19.5    | 114         | 57      | 47                    | 23.5    |
| 5                 | 16                    | 15.4    | 65          | 62.5    | 23                    | 22.1    |
| 6                 | 82                    | 14.3    | 302         | 52.6    | 190                   | 33.1    |
| 7                 | 20                    | 9.3     | 157         | 73      | 38                    | 17.7    |
| 8                 | 52                    | 30.6    | 86          | 50.6    | 32                    | 18.8    |
| 9                 | 44                    | 19.4    | 130         | 57.3    | 53                    | 23.3    |
| 10                | 46                    | 22.8    | 115         | 56.9    | 41                    | 20.3    |
| 11                | 133                   | 23.8    | 264         | 47.2    | 162                   | 29      |
| 12                | 40                    | 32.8    | 64          | 52.5    | 18                    | 14.8    |
| 13                | 35                    | 25.4    | 71          | 51.4    | 32                    | 23.2    |
| 14                | 12                    | 21.8    | 34          | 61.8    | 9                     | 16.4    |
| 15                | 28                    | 28.9    | 53          | 54.6    | 16                    | 16.5    |
| 16                | 55                    | 14.2    | 240         | 62.2    | 91                    | 23.6    |
| 17                | 15                    | 29.4    | 28          | 54.9    | 8                     | 15.7    |
| 18                | 34                    | 38.2    | 39          | 43.8    | 16                    | 18      |
| 19                | 27                    | 17.2    | 85          | 54.1    | 45                    | 28.7    |
| 20                | 217                   | 21.8    | 508         | 51.1    | 270                   | 27.1    |
| 21                | 16                    | 31.4    | 17          | 33.3    | 18                    | 35.3    |
| 22                | 18                    | 21.2    | 49          | 57.6    | 18                    | 21.2    |
| 23                | 13                    | 21.7    | 38          | 63.3    | 9                     | 15      |
| 24                | 63                    | 30      | 116         | 55.2    | 31                    | 14.8    |
| 25                | 32                    | 20.1    | 100         | 62.9    | 27                    | 17      |
| 26                | 42                    | 17      | 147         | 59.5    | 58                    | 23.5    |
| 27                | 21                    | 18.9    | 72          | 64.9    | 18                    | 16.2    |
| 28                | 22                    | 20.6    | 63          | 58.9    | 22                    | 20.6    |
| 29                | 13                    | 18.8    | 43          | 62.3    | 13                    | 18.8    |
| 30                | 120                   | 14.1    | 468         | 54.9    | 265                   | 31.1    |
| 31                | 10                    | 23.3    | 25          | 58.1    | 8                     | 18.6    |
| JD Not Given      | 142                   | 17.6    | 463         | 57.2    | 204                   | 25.2    |
| Statewide         | 1611                  | 20.4    | 4342        | 54.9    | 1952                  | 24.7    |
| 2000 Census Data  |                       | 24.1    |             | 56.3    |                       | 19.6    |

**Table 9: Calendar Year - 2003: Weekly Compensation Rate**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> | <b>Maximum Weekly Benefit</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|-------------------------------|
| 1                        | 298           | \$312.60    | \$280.40      | \$126.68              | 8/1/92 - 6/30/93 \$318.24     |
| 2                        | 244           | \$328.86    | \$296.33      | \$141.71              | 7/1/93 - 6/30/94 \$355.97     |
| 3                        | 300           | \$330.46    | \$310.36      | \$125.87              | 7/1/94 - 6/30/95 \$382.79     |
| 4                        | 246           | \$308.84    | \$289.03      | \$131.57              | 7/1/95 - 6/30/96 \$415.87     |
| 5                        | 138           | \$353.16    | \$328.95      | \$153.76              | 7/1/96 - 6/30/97 \$453.14     |
| 6                        | 730           | \$363.27    | \$343.52      | \$145.19              | 7/1/97 - 6/30/98 \$492.00     |
| 7                        | 247           | \$409.38    | \$411.34      | \$150.76              | 7/1/98 - 6/30/99 \$515.00     |
| 8                        | 190           | \$316.26    | \$282.20      | \$130.56              | 7/1/99 - 6/30/00 \$541.00     |
| 9                        | 270           | \$371.51    | \$374.99      | \$156.65              | 7/1/00 - 6/30/01 \$562.00     |
| 10                       | 252           | \$317.43    | \$305.28      | \$121.40              | 7/1/01 - 6/30/02 \$581.00     |
| 11                       | 759           | \$346.94    | \$330.73      | \$137.46              | 7/1/02 - 6/30/03 \$599.00     |
| 12                       | 146           | \$319.57    | \$305.31      | \$132.30              | 7/1/03 - 6/30/04 \$614.00     |
| 13                       | 177           | \$326.57    | \$301.56      | \$121.05              |                               |
| 14                       | 70            | \$354.57    | \$308.49      | \$157.82              |                               |
| 15                       | 120           | \$356.74    | \$355.02      | \$145.11              |                               |
| 16                       | 487           | \$439.00    | \$486.02      | \$153.76              |                               |
| 17                       | 78            | \$350.51    | \$352.39      | \$126.33              |                               |
| 18                       | 111           | \$358.07    | \$336.49      | \$125.54              |                               |
| 19                       | 191           | \$339.00    | \$330.00      | \$115.72              |                               |
| 20                       | 1415          | \$365.25    | \$350.09      | \$141.80              |                               |
| 21                       | 65            | \$357.12    | \$313.17      | \$158.65              |                               |
| 22                       | 137           | \$352.40    | \$328.71      | \$151.61              |                               |
| 23                       | 71            | \$368.22    | \$366.09      | \$132.88              |                               |
| 24                       | 252           | \$300.39    | \$270.63      | \$125.74              |                               |
| 25                       | 171           | \$343.70    | \$344.87      | \$125.84              |                               |
| 26                       | 308           | \$326.31    | \$308.63      | \$128.61              |                               |
| 27                       | 225           | \$373.66    | \$359.85      | \$141.18              |                               |
| 28                       | 122           | \$331.09    | \$314.45      | \$116.82              |                               |
| 29                       | 86            | \$341.91    | \$329.20      | \$119.71              |                               |
| 30                       | 1027          | \$365.09    | \$350.00      | \$149.38              |                               |
| 31                       | 56            | \$364.71    | \$327.38      | \$137.08              |                               |
| JD Not Given             | 1073          | \$367.52    | \$355.97      | \$144.93              |                               |
| Statewide                | 10062         | \$355.60    | \$336.16      | \$142.86              |                               |
| CY2002                   | 9580          | \$342.07    | \$322.28      | \$136.37              |                               |
| CY2001                   | 10251         | \$331.32    | \$312.79      | \$132.46              |                               |
| CY2000                   | 11050         | \$319.10    | \$302.05      | \$127.21              |                               |

**Figure 7: Calendar Year - 2003: Weekly Compensation Rate Distribution**



## TEMPORARY TOTAL DISABILITY

### NUMBER OF WEEKS

Table 10 lists the average number of weeks of Temporary Total Disability (TTD) benefits that were paid for 2003 cases.<sup>15</sup> The calculation for the number of weeks of TTD benefits was made from SD-1 data by dividing the total monetary amount of TTD benefits paid by an injured workers' weekly compensation rate. It is the average of the calculated number of weeks of TTD benefits that Table 17 reports. *It is also important to note that this includes all injury types and severities.* The mean number of weeks of TTD benefits ranges from 14.3 in Judicial District 31 to 28.8 in Judicial District 11, with a statewide mean of 20.8. Differences between judicial districts are statistically significant.<sup>16</sup> Potential reasons for the differences in TTD duration could be due to differences in area doctors, employer return to work policies, attorneys and injury mix. The mean duration of TTD benefits being paid has stayed consistent with 2002. Figure 8 displays the distribution of TTD duration in weeks for cases concluding in 2003.

### MONETARY AMOUNTS

The average amount of TTD benefits paid in 2003 are listed in Table 11. Unlike the number of weeks of TTD benefits, the TTD amount is directly affected by a workers' weekly compensation rate. The data ranges from a mean of \$4,643.29 in Judicial District 31 to \$10,852.79 in Judicial District 11 with a statewide mean of \$7,282.93. Differences between judicial districts are statistically significant.<sup>17</sup> The reasons for the differences between judicial districts would be the same as for TTD duration with the addition of differences in wages. Mean TTD benefit amounts have risen from \$6,116.74 for 2000 cases to \$7,282.93 for 2003 cases or 7.8% from 2000 to 2001, 4.4% from 2001 to 2002 and 5.8% from 2002 to 2003. Figure 9 displays the distribution of TTD benefit amounts for cases concluding in 2003. Not all SD-1 forms included the dollar amounts paid to the employee for TTD benefits.

<sup>15</sup> An injured worker ceases to receive TTD benefits when he/she either returns to work or reaches MMI.

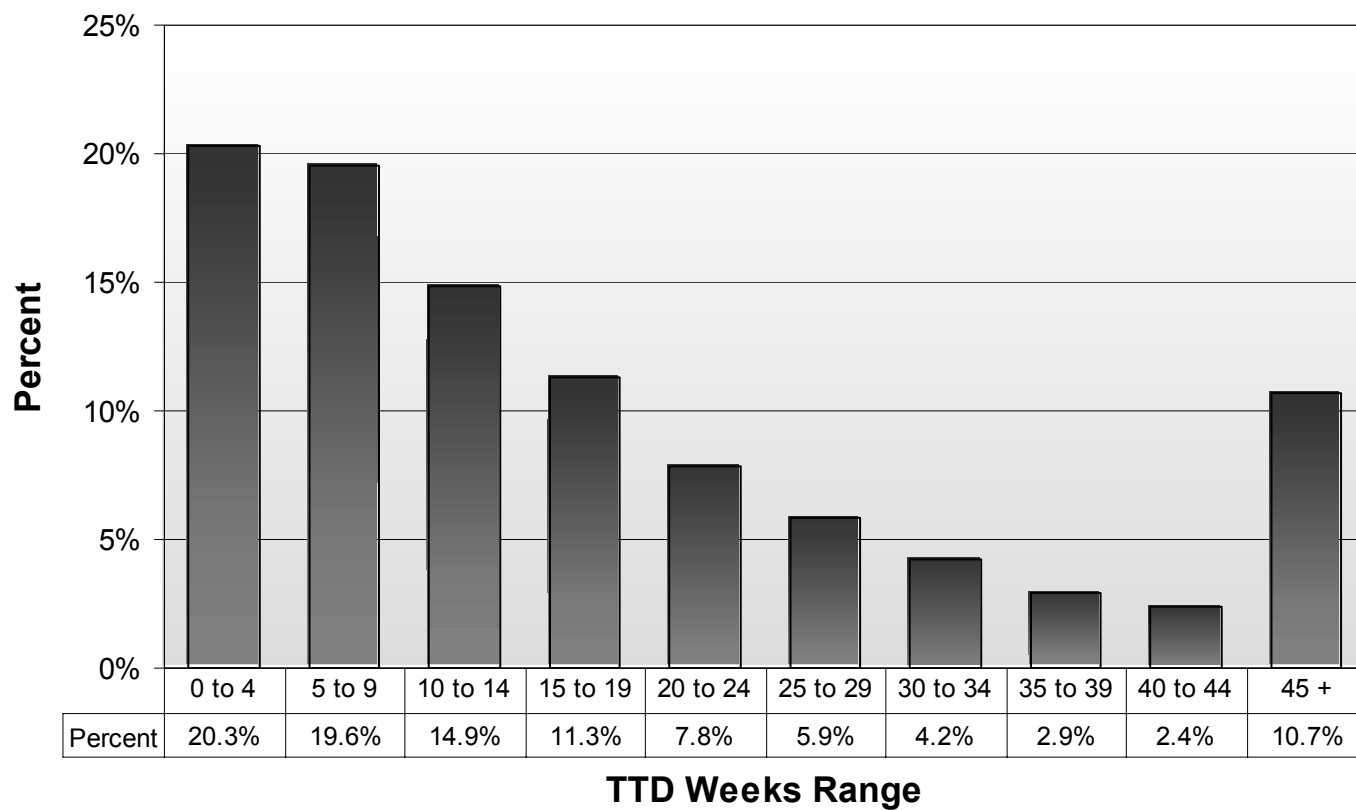
<sup>16</sup>  $p < .01$  Kruskal Wallis Test

<sup>17</sup>  $p < .01$  Kruskal Wallis Test

**Table 10: Calendar Year - 2003: Temporary Total Disability Benefits - Number of Weeks**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 207           | 23.1        | 13.7          | 28.4                  |
| 2                        | 161           | 28.6        | 19.4          | 29.5                  |
| 3                        | 193           | 21.8        | 13.3          | 27.5                  |
| 4                        | 164           | 21.6        | 14.9          | 25.9                  |
| 5                        | 86            | 24.0        | 16.0          | 34.0                  |
| 6                        | 423           | 21.3        | 14.0          | 28.0                  |
| 7                        | 127           | 20.0        | 15.0          | 22.3                  |
| 8                        | 120           | 22.7        | 17.1          | 18.9                  |
| 9                        | 131           | 23.2        | 12.0          | 37.5                  |
| 10                       | 167           | 26.7        | 16.2          | 30.3                  |
| 11                       | 534           | 28.8        | 17.0          | 35.0                  |
| 12                       | 96            | 24.4        | 17.2          | 26.1                  |
| 13                       | 104           | 17.9        | 13.1          | 16.0                  |
| 14                       | 53            | 17.6        | 8.6           | 20.0                  |
| 15                       | 87            | 18.3        | 11.0          | 21.0                  |
| 16                       | 366           | 18.3        | 12.6          | 21.7                  |
| 17                       | 53            | 14.8        | 10.4          | 16.2                  |
| 18                       | 87            | 18.2        | 10.0          | 20.2                  |
| 19                       | 106           | 21.1        | 12.2          | 26.6                  |
| 20                       | 1013          | 18.6        | 11.7          | 22.3                  |
| 21                       | 49            | 16.0        | 8.0           | 19.5                  |
| 22                       | 94            | 22.7        | 9.9           | 25.1                  |
| 23                       | 45            | 21.1        | 16.0          | 19.4                  |
| 24                       | 153           | 15.9        | 11.5          | 15.8                  |
| 25                       | 117           | 15.4        | 12.0          | 14.0                  |
| 26                       | 180           | 19.5        | 11.4          | 28.2                  |
| 27                       | 123           | 21.0        | 13.3          | 20.9                  |
| 28                       | 62            | 20.8        | 9.3           | 32.0                  |
| 29                       | 49            | 15.4        | 12.2          | 11.8                  |
| 30                       | 739           | 19.4        | 13.0          | 22.9                  |
| 31                       | 29            | 14.3        | 10.4          | 13.9                  |
|                          |               |             |               |                       |
| Not Given                | 789           | 19.0        | 13.0          | 21.2                  |
|                          |               |             |               |                       |
| Statewide                | 6707          | 20.8        | 13.1          | 25.3                  |
|                          |               |             |               |                       |
| CY2002                   | 6603          | 20.9        | 13.3          | 26.8                  |
| CY2001                   | 6970          | 18.3        | 12.3          | 18.0                  |
| CY2000                   | 7579          | 18.2        | 12.6          | 17.7                  |

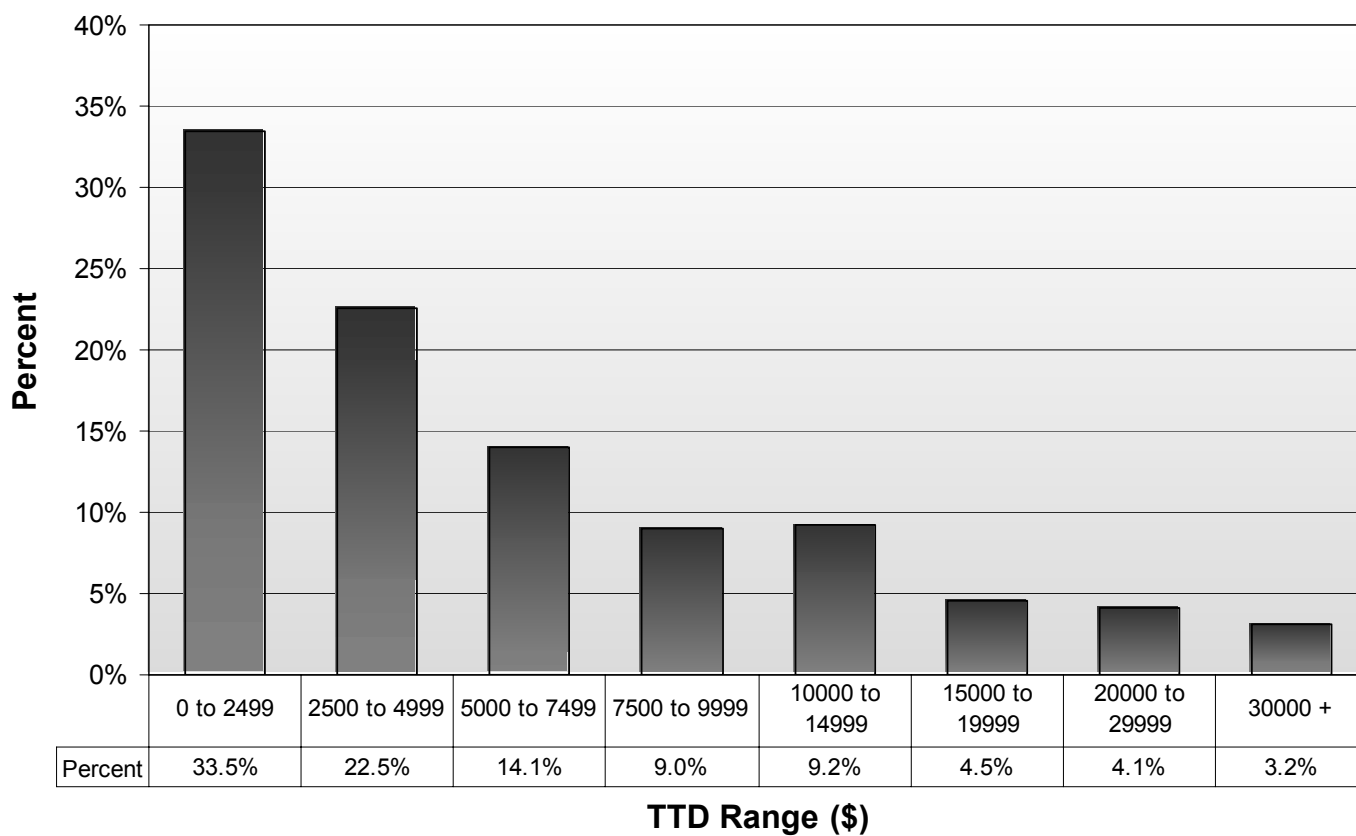
**Figure 8: Calendar Year - 2003: Temporary Total Disability Distribution - Number of Weeks**



**Table 11: Calendar Year - 2003: Temporary Total Disability - Monetary Benefits**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 211           | \$7,220.60  | \$3,639.46    | \$11,035.03           |
| 2                        | 161           | \$9,084.56  | \$5,928.85    | \$9,447.06            |
| 3                        | 197           | \$7,646.20  | \$4,224.15    | \$11,955.27           |
| 4                        | 164           | \$6,567.71  | \$3,734.56    | \$8,505.15            |
| 5                        | 86            | \$7,934.08  | \$4,423.22    | \$17,270.62           |
| 6                        | 429           | \$7,452.24  | \$4,282.50    | \$12,784.04           |
| 7                        | 130           | \$7,930.70  | \$5,253.80    | \$8,703.11            |
| 8                        | 122           | \$7,457.69  | \$5,039.08    | \$7,017.43            |
| 9                        | 133           | \$8,515.07  | \$4,218.62    | \$14,998.07           |
| 10                       | 168           | \$8,039.98  | \$4,773.66    | \$9,340.53            |
| 11                       | 537           | \$10,186.92 | \$5,367.63    | \$15,250.25           |
| 12                       | 101           | \$8,124.62  | \$5,290.75    | \$10,344.58           |
| 13                       | 105           | \$6,151.85  | \$3,972.09    | \$6,597.58            |
| 14                       | 53            | \$5,884.09  | \$3,320.00    | \$6,217.90            |
| 15                       | 88            | \$5,901.35  | \$3,662.86    | \$6,643.40            |
| 16                       | 371           | \$7,937.78  | \$5,990.00    | \$8,695.19            |
| 17                       | 53            | \$4,918.20  | \$2,510.11    | \$5,438.33            |
| 18                       | 87            | \$6,258.87  | \$4,377.24    | \$7,164.82            |
| 19                       | 109           | \$7,135.71  | \$3,636.36    | \$10,808.34           |
| 20                       | 1036          | \$6,723.72  | \$3,863.73    | \$9,416.11            |
| 21                       | 50            | \$5,564.76  | \$2,958.00    | \$8,034.00            |
| 22                       | 95            | \$8,158.16  | \$3,825.73    | \$10,284.75           |
| 23                       | 46            | \$7,830.16  | \$4,000.79    | \$8,886.49            |
| 24                       | 154           | \$4,844.83  | \$2,894.78    | \$5,546.05            |
| 25                       | 118           | \$5,229.92  | \$3,339.73    | \$5,242.01            |
| 26                       | 184           | \$5,955.70  | \$2,850.84    | \$8,812.85            |
| 27                       | 123           | \$8,656.38  | \$5,194.83    | \$10,307.20           |
| 28                       | 66            | \$6,208.69  | \$3,027.47    | \$7,907.49            |
| 29                       | 49            | \$5,520.76  | \$3,974.88    | \$4,659.15            |
| 30                       | 750           | \$7,043.70  | \$4,235.99    | \$9,719.07            |
| 31                       | 30            | \$4,641.29  | \$3,428.26    | \$4,646.82            |
|                          |               |             |               |                       |
| JD Not Given             | 801           | \$6,742.35  | \$4,128.54    | \$8,080.20            |
|                          |               |             |               |                       |
| Statewide                | 6807          | \$7,282.93  | \$4,200.33    | \$10,208.67           |
|                          |               |             |               |                       |
|                          |               |             |               |                       |
| CY2002                   | 6664          | \$6,885.68  | \$4,114.30    | \$9,264.46            |
| CY2001                   | 7192          | \$6,594.42  | \$3,817.40    | \$9,170.98            |
| CY2000                   | 7802          | \$6,116.74  | \$3,679.29    | \$7,922.03            |

**Figure 9: Calendar Year - 2003: Temporary Total Disability Distribution - Monetary Amounts**



## MEDICAL INFORMATION

### BENEFITS/EXPENSES

Table 12 lists the average amount of medical benefits paid for cases closed in 2003. *Like the TTD data, this includes all types of injuries and severities.* The statewide mean for medical benefits paid is \$17,834.84 with a range of \$12,011.06 in Judicial District 28 to \$28,426.44 in Judicial District 23.<sup>18</sup> Differences between judicial districts are statistically significant.<sup>19</sup> Paid medical benefits/expenses have increased 6% to 7% per year from 2000 to 2003.

### NUMBER OF PERMANENT PARTIAL IMPAIRMENT RATINGS

Figure 11 represents the number of PPI ratings given per case comparing trials and settlements. In most instances this number will be equal to the number of doctors per case, but not always. It is possible that one doctor could give more than one PPI rating for the same injury (i.e., a specific impairment to the hand is converted to a percentage of impairment to the arm). It is also possible that the same doctor could give more than one PPI rating to different body parts injured in the same case (i.e., 10% PPI to the left arm and 5% PPI to the left leg). Usually multiple body part PPI ratings are for injuries to the fingers. Up from 74% in 2000 and 2001, but down from 86% in 2002, 82% of cases involved the use of only one PPI rating in 2003. Only 57% of trials concluding in 2003 involved the use of one PPI rating. In 36% of trials, two PPI ratings were given. Table 13 lists the number of PPI ratings per case for 2000 to 2003 cases in Tennessee.

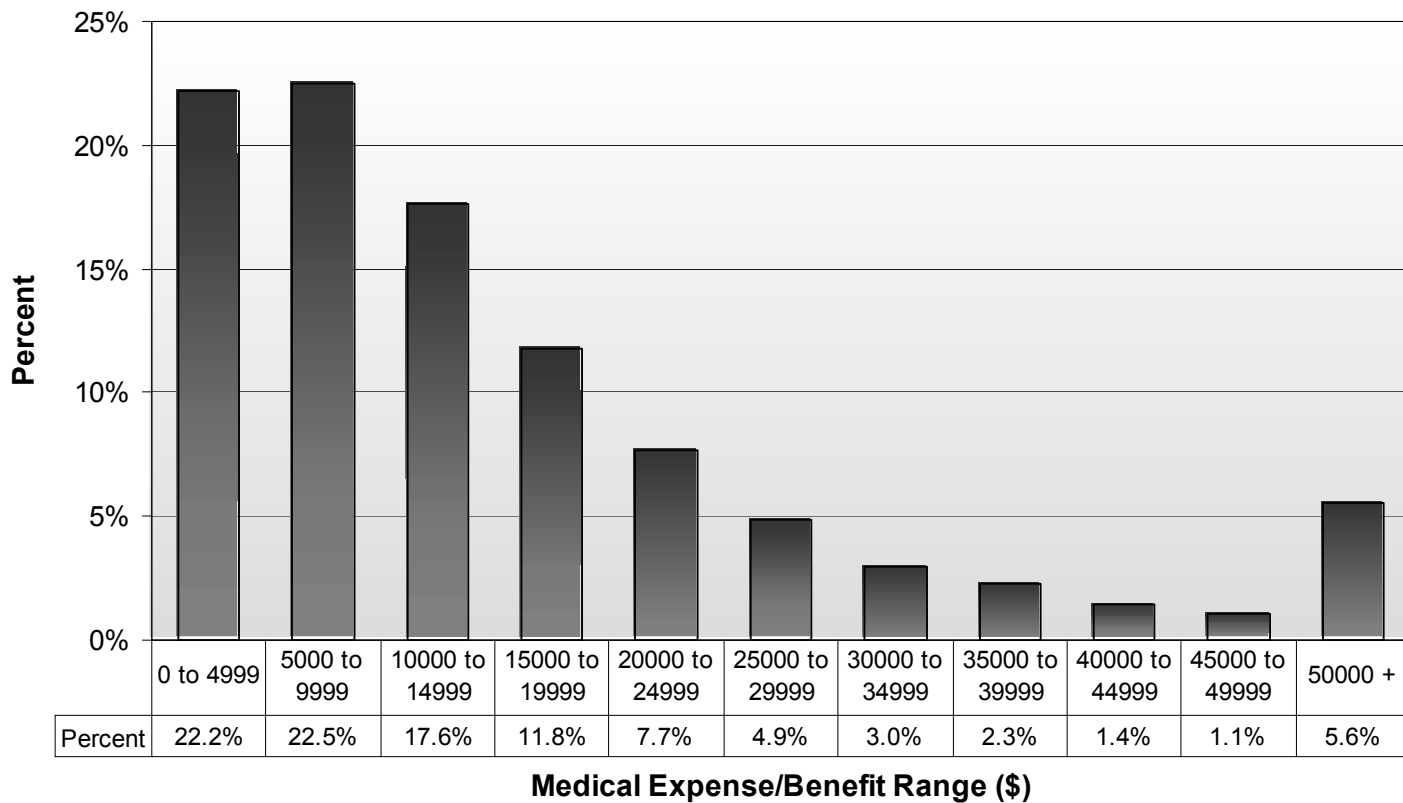
<sup>18</sup> It should be noted that the medical data reported may include money paid to close out medical benefits in lump sum settlements.

<sup>19</sup>  $p < .01$  Kruskal Wallis Test

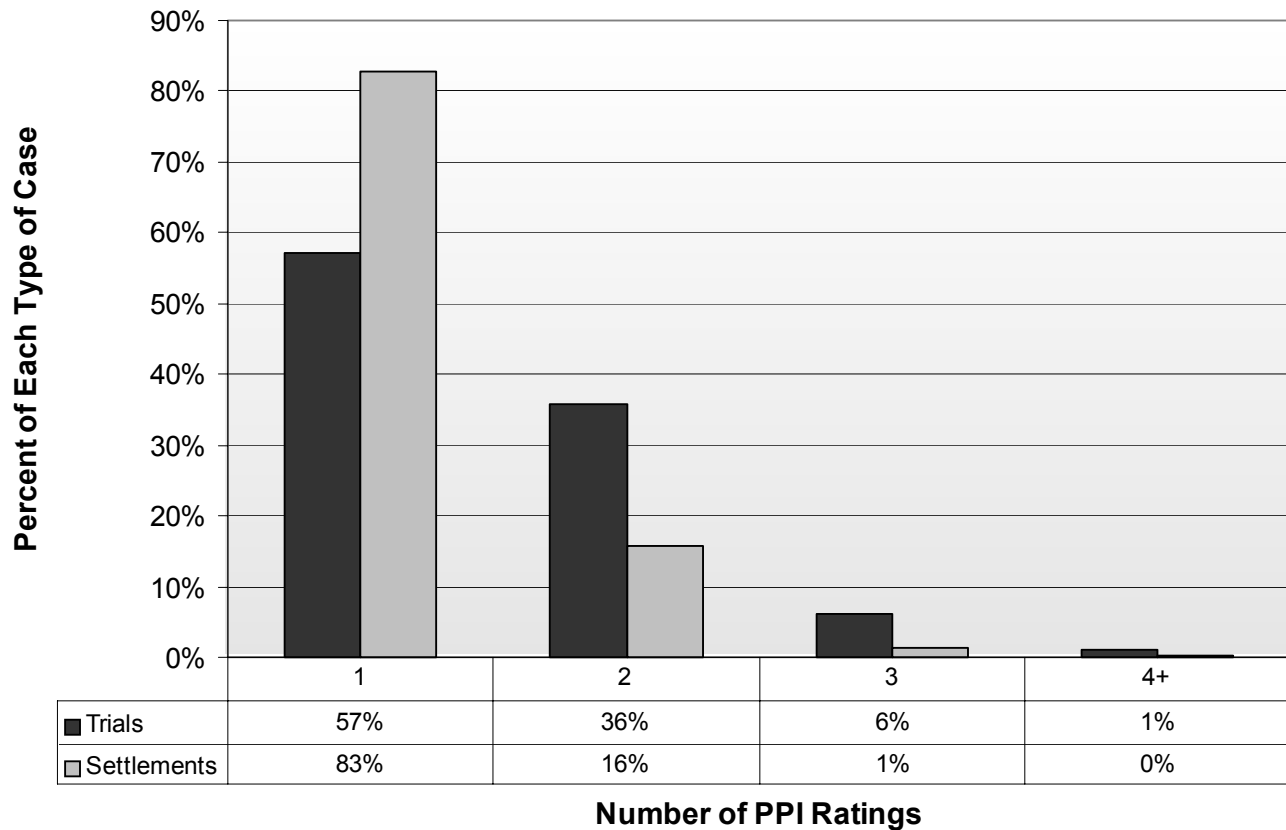
**Table 12: Calendar Year - 2003: Medical Benefits/Expenses**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 271           | \$18,371.73 | \$11,544.25   | \$22,692.69           |
| 2                        | 213           | \$18,439.58 | \$12,032.32   | \$24,950.55           |
| 3                        | 291           | \$15,238.96 | \$9,025.08    | \$19,993.20           |
| 4                        | 217           | \$15,355.64 | \$11,100.00   | \$15,460.03           |
| 5                        | 125           | \$14,439.00 | \$10,218.85   | \$15,430.22           |
| 6                        | 643           | \$13,930.79 | \$8,776.04    | \$17,105.59           |
| 7                        | 190           | \$13,490.34 | \$8,957.62    | \$14,415.17           |
| 8                        | 147           | \$15,958.02 | \$12,709.33   | \$13,923.72           |
| 9                        | 194           | \$15,515.53 | \$9,622.22    | \$19,615.19           |
| 10                       | 217           | \$20,534.13 | \$13,475.00   | \$30,106.43           |
| 11                       | 703           | \$24,610.09 | \$11,807.82   | \$82,382.64           |
| 12                       | 129           | \$19,981.58 | \$12,853.52   | \$30,961.17           |
| 13                       | 154           | \$16,214.40 | \$11,169.18   | \$16,853.87           |
| 14                       | 60            | \$19,748.21 | \$13,855.98   | \$18,538.16           |
| 15                       | 103           | \$19,565.13 | \$14,530.56   | \$19,404.71           |
| 16                       | 426           | \$15,344.29 | \$9,329.88    | \$38,508.69           |
| 17                       | 63            | \$14,750.38 | \$11,340.68   | \$14,440.24           |
| 18                       | 96            | \$21,345.30 | \$15,583.89   | \$20,314.86           |
| 19                       | 161           | \$15,676.44 | \$10,793.87   | \$18,744.54           |
| 20                       | 1325          | \$19,511.96 | \$12,890.46   | \$33,399.50           |
| 21                       | 53            | \$19,271.07 | \$12,178.45   | \$26,675.31           |
| 22                       | 111           | \$19,941.15 | \$14,416.57   | \$19,643.86           |
| 23                       | 60            | \$28,426.44 | \$11,219.27   | \$106,701.85          |
| 24                       | 223           | \$14,062.05 | \$8,878.82    | \$19,611.30           |
| 25                       | 158           | \$17,711.44 | \$11,089.06   | \$20,178.52           |
| 26                       | 266           | \$15,300.81 | \$9,383.13    | \$26,952.67           |
| 27                       | 215           | \$16,230.56 | \$11,624.00   | \$19,892.18           |
| 28                       | 110           | \$12,011.06 | \$9,231.32    | \$12,385.44           |
| 29                       | 72            | \$12,035.77 | \$11,093.81   | \$7,556.45            |
| 30                       | 930           | \$18,922.73 | \$12,398.84   | \$28,659.13           |
| 31                       | 45            | \$18,216.98 | \$13,343.93   | \$18,451.03           |
|                          |               |             |               |                       |
| JD Not Given             | 1022          | \$17,681.39 | \$12,317.74   | \$25,762.51           |
|                          |               |             |               |                       |
| Statewide                | 8993          | \$17,834.84 | \$11,464.55   | \$34,874.95           |
|                          |               |             |               |                       |
|                          |               |             |               |                       |
| CY2002                   | 8758          | \$16,772.33 | \$11,040.80   | \$26,410.43           |
| CY2001                   | 9362          | \$15,680.80 | \$10,093.91   | \$28,647.80           |
| CY2000                   | 10073         | \$14,618.33 | \$9,357.55    | \$26,686.14           |

**Figure 10: Calendar Year - 2003: Medical Expense/Benefit Distribution**



**Figure 11: Calendar Year 2003: Number Permanent Partial Impairment Ratings Given Per Case**



**Table 13: Number of Permanent Partial Impairment Ratings per Case**

| Year | Number of PPI Ratings |       |      |      |
|------|-----------------------|-------|------|------|
|      | 1                     | 2     | 3    | 4+   |
| 2003 | 82.9%                 | 15.6% | 1.3% | 0.2% |
| 2002 | 85.5%                 | 13.2% | 1.1% | 0.1% |
| 2001 | 74.3%                 | 20.0% | 3.0% | 2.7% |
| 2000 | 74.1%                 | 19.8% | 3.6% | 2.5% |

## BODY PARTS INJURED

Calendar year 2002 was the first year in which body parts injured and nature of injury were captured in the Department's database. Body part injured and the nature of injury are coded by the Department using IAIABC nature of injury and body part codes<sup>20</sup>. Table 14 lists the 10 most frequently occurring body parts injured and Table 15 lists the 10 most frequently occurring nature of injuries for 2003 cases in Tennessee. Since this is newly captured information, future reports will be able to show injury trends.

**Table 14: 10 Most Frequently Occurring Body Parts Injured for 2003 Cases Using IAIABC Injury Code**

| Body Part Injured                                           | Number | Percent of Cases | Cumulative Percent |
|-------------------------------------------------------------|--------|------------------|--------------------|
| KNEE                                                        | 1093   | 12.9             | 12.9               |
| SHOULDER(S)                                                 | 1054   | 12.4             | 25.3               |
| MULTIPLE BODY PARTS (INCLUDING BODY SYSTEMS AND BODY PARTS) | 901    | 10.6             | 35.9               |
| WRIST                                                       | 873    | 10.3             | 46.2               |
| LOWER BACK AREA (LUMBAR AREA AND LUMBO-SACRAL)              | 680    | 8.0              | 54.2               |
| FINGER(S)                                                   | 584    | 6.9              | 61.1               |
| DISC                                                        | 540    | 6.4              | 67.5               |
| MULTIPLE UPPER EXTREMITIES                                  | 407    | 4.8              | 72.3               |
| EAR(S)                                                      | 241    | 2.8              | 75.1               |
| HAND                                                        | 195    | 2.3              | 77.4               |

**Table 15: 10 Most Frequently Occurring Nature of Injuries for 2003 Cases Using IAIABC Injury Codes**

| Type of Injury                                        | Number | Percent of Cases | Cumulative Percent |
|-------------------------------------------------------|--------|------------------|--------------------|
| STRAIN                                                | 3040   | 34.3             | 34.3               |
| MULTIPLE PHYSICAL INJURIES ONLY                       | 1220   | 13.8             | 48.1               |
| FRACTURE                                              | 916    | 10.3             | 58.4               |
| CARPAL TUNNEL SYNDROME                                | 759    | 8.6              | 67.0               |
| DISLOCATION                                           | 695    | 7.8              | 74.8               |
| SPRAIN                                                | 358    | 4.0              | 78.8               |
| ALL OTHER SPECIFIC INJURIES, NOT OTHERWISE CLASSIFIED | 348    | 3.9              | 82.7               |
| LACERATION                                            | 318    | 3.6              | 86.3               |
| HEARING LOSS OR IMPAIRMENT                            | 240    | 2.7              | 89.0               |
| AMPUTATION                                            | 199    | 2.2              | 91.2               |
| ALL OTHER CUMULATIVE INJURY, NOT OTHERWISE CLASSIFIED | 188    | 2.1              | 93.3               |

<sup>20</sup>International Association of Industrial Accident Boards and Commissions (IAIABC) is a not-for-profit trade association representing government agencies charged with the administration of workers' compensation systems throughout most of the United States and Canada, and other nations and territories.

## BODY AS A WHOLE - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Table 16 lists the average of the highest permanent partial impairment (PPI) ratings given for BAW cases in which the injured workers returned to work for their pre-injury employers at same or higher pay. The “average highest PPI rating” is the average of each of the highest impairment ratings given by a physician to the injured worker in each of the cases reviewed. The average highest PPI is utilized as a comparison because a judge has discretion to accept any of the PPI ratings given and the determination as to whether a judge properly applied the multiplier caps in body as a whole cases is directly related to the highest PPI rating given.

As shown in Table 16, the mean PPI ratings for 2003 range from 6.5% to the BAW in Judicial District 5 to 14.0% in Judicial District 8. The statewide mean PPI is 9.5% to the BAW. Differences between judicial districts for PPD amounts are statistically significant for BAW return to work cases.<sup>21</sup> The differences may be attributable to differences in injury severity, local medical practices and the utilization of independent medical examinations. The mean PPI ratings for BAW cases where the injured worker returned to work have risen from 9.2% in 2001 to 9.8% in 2003.

### PERMANENT PARTIAL DISABILITY PERCENTAGE

Table 17 lists the average percentage of permanent partial disability (PPD) awards/settlements for body as a whole injuries in cases where the injured employee returned to work for the same employer. The mean PPD percentage for the state for 2003 cases is 19.8% (nearly 80 weeks) to the body as a whole. The mean PPD awards/settlements range from 15.0% (60 weeks) in Judicial District 3 to 32.1% (116 weeks) in Judicial District 2. Differences between judicial districts for PPD amounts are statistically significant for BAW return to work cases.<sup>22</sup> The apparent differences may be due to local job opportunities, PPI differences and judicial discretion. Average PPD amounts have increased from 18.5% in 2000 to 19.8% in 2003, which reflects a 2.4% increase

---

<sup>21</sup>  $p < .01$  Kruskal Wallis Test

<sup>22</sup>  $p < .01$  Kruskal Wallis Test

from 2000 to 2001, a 4.1% increase from 2001 to 2002 and a 0.5% increase from 2002 to 2003.

#### PERMANENT PARTIAL DISABILITY MULTIPLIERS

A permanent partial disability (PPD) multiplier is the ratio of the PPD judgment or settlement amount to the highest PPI rating given to an injured employee. To determine the multiplier, the PPD percent was divided by the highest PPI rating. To ensure accuracy, cases were selected for analysis only if the SD-1 form included both a BAW PPI rating and a BAW PPD judgment or settlement amount.

The statewide mean PPD multiplier for BAW cases where the injured worker returned to work for 2003 cases is 2.2, with a range of 1.9 in Judicial District 28 to 2.7 in Judicial District 31. All judicial districts as well as the statewide mean and median PPD multipliers for BAW return to work cases for calendar year 2003 are listed in Table 18. Differences between judicial districts for PPD amounts are statistically significant for BAW return to work cases.<sup>23</sup> The reasons for the differences would be the same as those for PPD percent mentioned previously.

For three judicial districts, the multiplier was greater than 2.5, the statutory cap placed on BAW judgments in cases where the injured worker was returned to work. Possible reasons for this are the injured worker met the age and education requirements for exceeding the 2.5 times cap set forth in *TCA* §50-6-241, the PPD judgment amount was based on a PPI rating not given on the SD-1, or the parties settled to an amount higher than a 2.5 time multiplier. PPD multipliers have stayed constant from 2000 to 2003.

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

As noted in the 2002 Annual Report, permanent partial disability (PPD) benefits increased on average 14% from 2001 to 2002. This increase was evident despite other variables such as permanent partial impairment ratings, PPD percent amounts and PPD multipliers remaining fairly

---

<sup>23</sup>  $p < .01$  Kruskal Wallis Test

constant or in some cases, showing decreases. For reasons unknown, and especially in body as a whole cases, it appears that the PPD benefit amounts for calendar years 2000 and 2001 were reported by those responsible for filling out the SD-1 form at amounts less than what they should have been when compared to PPD benefit amounts calculated by multiplying PPD percent amounts, compensation rates and the appropriate number of weeks of benefits. Therefore, in this annual report, PPD benefit amounts are now reported as a calculation.

Like the data for the average TTD monetary amounts paid discussed previously, average PPD monetary amounts paid are very much influenced by weekly compensation rates. Table 19 lists the average PPD monetary payments for 2003 BAW return to work cases. The statewide mean is \$30,202.73 with a range from \$21,182.92 in Judicial District 3 to \$41,349.79 in Judicial District 8. PPD monetary amounts for BAW return to work cases have increased from \$25,174.00 in 2000 to \$30,202.73 in 2003.

Because PPD monetary amounts paid are influenced directly by other variables (i.e., compensation rate and PPD percentage amount) that are statistically different from each other, so would the monetary amounts paid be statistically different. This, however, is of little value; therefore, significance tests are not reported for PPD monetary amounts paid here and throughout the rest of the report. PPD monetary data reported in this report for previous years have been calculated in this manner as well.

**Table 16: Calendar Year - 2003: Permanent Partial Impairment - Body as a Whole  
Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 60            | 12.6        | 8.0           | 13.8                  |
| 2                        | 51            | 9.8         | 7.0           | 8.0                   |
| 3                        | 58            | 7.1         | 6.0           | 4.7                   |
| 4                        | 47            | 9.3         | 7.0           | 7.2                   |
| 5                        | 29            | 6.5         | 6.0           | 4.5                   |
| 6                        | 157           | 9.2         | 6.0           | 10.1                  |
| 7                        | 47            | 10.8        | 5.0           | 16.0                  |
| 8                        | 29            | 14.0        | 10.0          | 14.3                  |
| 9                        | 48            | 9.2         | 5.0           | 9.0                   |
| 10                       | 43            | 11.5        | 7.0           | 9.2                   |
| 11                       | 154           | 10.5        | 7.0           | 10.4                  |
| 12                       | 27            | 13.5        | 9.0           | 18.1                  |
| 13                       | 47            | 9.6         | 8.0           | 7.2                   |
| 14                       | 19            | 10.7        | 8.0           | 6.7                   |
| 15                       | 32            | 9.8         | 7.0           | 7.3                   |
| 16                       | 140           | 8.1         | 6.0           | 6.5                   |
| 17                       | 20            | 8.6         | 7.5           | 5.0                   |
| 18                       | 22            | 12.7        | 8.5           | 13.0                  |
| 19                       | 37            | 8.7         | 8.0           | 6.5                   |
| 20                       | 347           | 8.9         | 6.0           | 7.6                   |
| 21                       | 18            | 8.6         | 6.5           | 5.4                   |
| 22                       | 42            | 10.7        | 9.5           | 6.5                   |
| 23                       | 11            | 8.5         | 10.0          | 3.3                   |
| 24                       | 59            | 13.2        | 10.0          | 9.0                   |
| 25                       | 44            | 11.9        | 8.5           | 7.8                   |
| 26                       | 60            | 11.0        | 10.0          | 6.7                   |
| 27                       | 53            | 11.8        | 10.0          | 6.7                   |
| 28                       | 20            | 10.3        | 9.0           | 6.7                   |
| 29                       | 17            | 10.0        | 10.0          | 3.8                   |
| 30                       | 218           | 9.9         | 8.0           | 7.6                   |
| 31                       | 11            | 9.1         | 9.0           | 5.4                   |
| JD Not Given             | 222           | 8.6         | 7.0           | 6.6                   |
| Statewide                | 2189          | 9.8         | 7.0           | 8.6                   |
| CY2002                   | 2011          | 9.5         | 8.0           | 7.8                   |
| CY2001                   | 2392          | 9.2         | 8.0           | 7.4                   |
| CY2000                   | 2405          | 9.3         | 8.0           | 8.6                   |

**Table 17: Calendar Year - 2003: Percentage Awarded for Permanent Partial Disability  
Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 65            | 23.0        | 17.5          | 18.9                  |
| 2                        | 57            | 19.8        | 12.0          | 18.0                  |
| 3                        | 65            | 15.0        | 11.0          | 12.8                  |
| 4                        | 53            | 19.5        | 12.5          | 17.2                  |
| 5                        | 35            | 17.5        | 12.5          | 18.0                  |
| 6                        | 182           | 17.8        | 12.5          | 15.9                  |
| 7                        | 51            | 18.5        | 12.5          | 15.9                  |
| 8                        | 32            | 27.3        | 26.0          | 17.1                  |
| 9                        | 51            | 20.9        | 12.5          | 20.5                  |
| 10                       | 51            | 20.4        | 14.0          | 16.3                  |
| 11                       | 174           | 21.4        | 15.0          | 18.9                  |
| 12                       | 32            | 29.1        | 21.3          | 25.5                  |
| 13                       | 50            | 22.2        | 16.1          | 17.2                  |
| 14                       | 21            | 23.6        | 20.0          | 11.9                  |
| 15                       | 36            | 23.0        | 22.3          | 15.2                  |
| 16                       | 158           | 16.4        | 12.0          | 11.7                  |
| 17                       | 27            | 18.4        | 15.0          | 10.4                  |
| 18                       | 26            | 24.2        | 21.0          | 13.8                  |
| 19                       | 45            | 17.0        | 14.0          | 13.1                  |
| 20                       | 395           | 18.7        | 13.5          | 16.2                  |
| 21                       | 21            | 19.1        | 13.5          | 16.2                  |
| 22                       | 45            | 23.3        | 18.0          | 16.4                  |
| 23                       | 13            | 22.2        | 20.0          | 7.9                   |
| 24                       | 64            | 27.0        | 21.7          | 18.8                  |
| 25                       | 46            | 24.2        | 20.0          | 16.5                  |
| 26                       | 69            | 20.5        | 18.0          | 14.1                  |
| 27                       | 71            | 22.4        | 20.0          | 15.7                  |
| 28                       | 23            | 20.1        | 14.5          | 16.2                  |
| 29                       | 21            | 17.3        | 18.5          | 7.8                   |
| 30                       | 248           | 19.6        | 16.0          | 14.2                  |
| 31                       | 12            | 23.9        | 21.3          | 17.7                  |
|                          |               |             |               |                       |
| JD Not Given             | 256           | 17.8        | 15.0          | 13.8                  |
|                          |               |             |               |                       |
| Statewide                | 2495          | 19.8        | 15.0          | 16.0                  |
|                          |               |             |               |                       |
| CY2002                   | 2465          | 19.7        | 15.0          | 15.6                  |
| CY2001                   | 2618          | 18.9        | 15.0          | 14.0                  |
| CY2000                   | 2680          | 18.5        | 15.0          | 13.5                  |

**Table 18: Calendar Year - 2003: Permanent Partial Disability Multipliers - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 59            | 2.1         | 2.0           | 0.9                   |
| 2                        | 50            | 2.0         | 2.0           | 0.8                   |
| 3                        | 57            | 2.0         | 2.0           | 0.8                   |
| 4                        | 47            | 2.2         | 2.1           | 1.0                   |
| 5                        | 28            | 2.4         | 2.4           | 0.8                   |
| 6                        | 156           | 2.2         | 2.0           | 1.0                   |
| 7                        | 46            | 2.3         | 2.0           | 0.9                   |
| 8                        | 29            | 2.6         | 2.1           | 1.6                   |
| 9                        | 48            | 2.3         | 2.3           | 0.8                   |
| 10                       | 43            | 2.2         | 2.1           | 0.7                   |
| 11                       | 152           | 2.3         | 2.0           | 1.1                   |
| 12                       | 27            | 2.4         | 2.3           | 0.8                   |
| 13                       | 47            | 2.4         | 2.4           | 0.6                   |
| 14                       | 19            | 2.5         | 2.5           | 0.8                   |
| 15                       | 31            | 2.6         | 2.4           | 1.1                   |
| 16                       | 137           | 2.2         | 2.0           | 1.0                   |
| 17                       | 20            | 2.3         | 2.3           | 1.0                   |
| 18                       | 22            | 2.3         | 2.0           | 1.3                   |
| 19                       | 37            | 2.3         | 2.0           | 1.4                   |
| 20                       | 347           | 2.2         | 2.0           | 0.9                   |
| 21                       | 18            | 2.5         | 2.0           | 1.6                   |
| 22                       | 42            | 2.4         | 2.3           | 0.7                   |
| 23                       | 10            | 2.4         | 2.3           | 0.5                   |
| 24                       | 59            | 2.2         | 2.0           | 1.1                   |
| 25                       | 44            | 2.2         | 2.0           | 0.9                   |
| 26                       | 60            | 2.0         | 2.0           | 0.7                   |
| 27                       | 52            | 2.1         | 2.0           | 0.8                   |
| 28                       | 19            | 1.9         | 2.0           | 1.0                   |
| 29                       | 17            | 2.0         | 2.0           | 0.4                   |
| 30                       | 216           | 2.2         | 2.2           | 0.8                   |
| 31                       | 11            | 2.7         | 2.5           | 1.1                   |
| JD Not Given             | 222           | 2.2         | 2.0           | 0.9                   |
| Statewide                | 2172          | 2.2         | 2.0           | 0.9                   |
| CY2002                   | 1994          | 2.3         | 2.0           | 0.9                   |
| CY2001                   | 2382          | 2.2         | 2.0           | 0.9                   |
| CY2000                   | 2393          | 2.2         | 2.0           | 0.9                   |

**Table 19: Calendar Year - 2003: Permanent Partial Disability - Monetary Benefits - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Number | Mean        | Median      | Std. Deviation |
|-------------------|--------|-------------|-------------|----------------|
| 1                 | 64     | \$30,563.77 | \$18,591.22 | \$26,338.79    |
| 2                 | 57     | \$27,077.93 | \$17,703.12 | \$27,763.40    |
| 3                 | 65     | \$21,182.97 | \$15,117.48 | \$17,029.02    |
| 4                 | 53     | \$23,351.71 | \$14,733.00 | \$24,245.04    |
| 5                 | 35     | \$22,258.52 | \$23,240.00 | \$14,593.09    |
| 6                 | 179    | \$26,606.98 | \$18,592.00 | \$24,235.28    |
| 7                 | 50     | \$33,652.04 | \$23,600.00 | \$31,080.14    |
| 8                 | 32     | \$41,349.79 | \$38,124.70 | \$27,426.27    |
| 9                 | 50     | \$37,177.95 | \$21,597.50 | \$41,309.28    |
| 10                | 51     | \$26,230.97 | \$18,656.40 | \$23,634.57    |
| 11                | 172    | \$29,312.27 | \$22,807.16 | \$27,597.17    |
| 12                | 31     | \$39,275.21 | \$22,570.38 | \$40,225.17    |
| 13                | 50     | \$30,916.58 | \$19,321.80 | \$31,143.08    |
| 14                | 20     | \$37,261.61 | \$31,374.00 | \$25,218.92    |
| 15                | 36     | \$39,859.42 | \$29,218.10 | \$32,265.48    |
| 16                | 156    | \$31,397.16 | \$27,888.00 | \$29,465.32    |
| 17                | 27     | \$29,039.72 | \$24,786.90 | \$20,272.93    |
| 18                | 25     | \$39,916.05 | \$28,998.60 | \$29,674.06    |
| 19                | 44     | \$25,091.02 | \$21,149.72 | \$21,247.94    |
| 20                | 390    | \$29,358.20 | \$19,016.85 | \$28,824.90    |
| 21                | 20     | \$29,067.02 | \$28,121.31 | \$19,160.96    |
| 22                | 44     | \$38,152.51 | \$25,040.88 | \$32,939.57    |
| 23                | 13     | \$35,339.68 | \$38,952.00 | \$19,328.09    |
| 24                | 64     | \$34,432.22 | \$24,906.98 | \$34,217.42    |
| 25                | 44     | \$33,700.01 | \$31,263.44 | \$24,020.70    |
| 26                | 66     | \$28,813.09 | \$21,412.33 | \$29,414.04    |
| 27                | 71     | \$37,855.58 | \$30,136.68 | \$31,740.47    |
| 28                | 22     | \$30,729.49 | \$21,179.48 | \$30,701.59    |
| 29                | 21     | \$22,014.32 | \$23,562.12 | \$11,695.48    |
| 30                | 248    | \$31,802.24 | \$24,548.84 | \$27,846.28    |
| 31                | 12     | \$34,844.92 | \$27,372.36 | \$27,055.97    |

|              |     |             |             |             |
|--------------|-----|-------------|-------------|-------------|
| JD Not Given | 252 | \$27,395.43 | \$21,466.95 | \$22,359.51 |
|--------------|-----|-------------|-------------|-------------|

|           |      |             |             |             |
|-----------|------|-------------|-------------|-------------|
| Statewide | 2464 | \$30,202.73 | \$22,673.06 | \$27,701.63 |
|-----------|------|-------------|-------------|-------------|

|        |      |             |
|--------|------|-------------|
| CY2002 | 2442 | \$29,734.24 |
| CY2001 | 2587 | \$26,880.34 |
| CY2000 | 2643 | \$25,174.00 |

---

## **BODY AS A WHOLE CASES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT**

---

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Average highest permanent partial impairment (PPI) ratings for BAW cases where the injured worker did not return to work for cases concluded in 2003 are listed in Table 20. The statewide mean highest PPI rating for BAW no return to work cases is 12.7% with a range from 8.6% in Judicial District 17 to 15.9% in Judicial District 22. Mean PPI ratings for body as a whole cases where the injured worker did not return to work increased by more than 4% from 2000 to 2001, decreased by nearly 14% from 2001 to 2002 and decreased just 0.8% from 2002 to 2003.

### PERMANENT PARTIAL DISABILITY PERCENTAGE

Table 21 lists the average percentage of PPD for employees with injuries to the body as a whole who did not return to work for the pre-injury employer that concluded in 2003. The mean PPD percent is 34.5% (138 weeks) to the body as a whole and ranges from a low of 22.9% (91.6 weeks) in Judicial District 17 to a high of 48.7% (194.8 weeks) in Judicial District 22. From 2000 to 2001 PPD judgment/settlement percentages for BAW no return to work cases increased by 4.3% and from 2001 to 2002 and 2002 to 2003 by less than one half of a percent.

### PERMANENT PARTIAL DISABILITY MULTIPLIERS

Calendar year 2003 BAW cases in which the employee did not return to work for the pre-injury employer have a mean PPD multiplier of 3.2 and are displayed in Table 22. The data ranges from a 1.9 multiplier in Judicial District 29 to a multiplier of 4.2 in Judicial District 12. PPD multipliers for body as whole cases where the employee did not return to work have remained constant from 2001 to 2003 and only rose from 3.1 to 3.2 (2.6%) from 2000 to 2001.

## PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Table 23 lists the average judgment and settlement monetary amounts for 2003 BAW no return to work cases. The statewide mean amount is \$47,429.34 with a range of \$30,095.48 in Judicial District 21 to \$78,615.80 in Judicial District 22. Again it must be remembered that this data is a function of the compensation rate as well as the percentage of permanent partial disability. Mean PPD judgment and settlement amounts for BAW no return to work cases increased by nearly 10.5% from 2000 to 2001, 1.4% from 2001 to 2002, and 9.4% from 2002 to 2003.

**Table 20: Calendar Year - 2003: Permanent Partial Impairment - Body as a Whole  
Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 40            | 12.0        | 8.0           | 8.6                   |
| 2                        | 53            | 12.7        | 8.0           | 9.1                   |
| 3                        | 35            | 12.8        | 10.0          | 8.9                   |
| 4                        | 34            | 10.0        | 7.5           | 7.8                   |
| 5                        | 12            | 10.9        | 8.0           | 10.6                  |
| 6                        | 73            | 15.0        | 10.0          | 18.2                  |
| 7                        | 22            | 12.6        | 8.0           | 11.1                  |
| 8                        | 36            | 12.6        | 9.0           | 10.7                  |
| 9                        | 18            | 14.9        | 13.0          | 9.9                   |
| 10                       | 34            | 12.4        | 9.5           | 11.2                  |
| 11                       | 82            | 12.7        | 10.0          | 9.1                   |
| 12                       | 15            | 12.5        | 10.0          | 8.3                   |
| 13                       | 18            | 14.1        | 8.0           | 22.3                  |
| 14                       | 9             | 9.9         | 6.0           | 7.0                   |
| 15                       | 11            | 15.7        | 13.0          | 11.6                  |
| 16                       | 38            | 11.3        | 10.0          | 6.2                   |
| 17                       | 5             | 8.6         | 6.0           | 4.0                   |
| 18                       | 13            | 12.3        | 10.0          | 8.4                   |
| 19                       | 20            | 13.4        | 11.5          | 7.5                   |
| 20                       | 118           | 12.2        | 7.5           | 12.2                  |
| 21                       | 4             | 11.3        | 10.5          | 1.9                   |
| 22                       | 22            | 15.9        | 14.0          | 13.4                  |
| 23                       | 10            | 11.5        | 13.0          | 4.4                   |
| 24                       | 28            | 12.6        | 11.5          | 7.4                   |
| 25                       | 22            | 11.9        | 10.0          | 7.6                   |
| 26                       | 27            | 12.3        | 11.0          | 7.3                   |
| 27                       | 15            | 12.7        | 10.0          | 7.0                   |
| 28                       | 10            | 10.9        | 9.0           | 8.4                   |
| 29                       | 3             | 14.3        | 16.0          | 3.8                   |
| 30                       | 115           | 13.9        | 10.0          | 13.3                  |
| 31                       | 6             | 12.8        | 7.5           | 9.5                   |
|                          |               |             |               |                       |
| JD Not Given             | 69            | 11.7        | 8.0           | 13.7                  |
|                          |               |             |               |                       |
| Statewide                | 1017          | 12.7        | 10.0          | 11.4                  |
|                          |               |             |               |                       |
| CY2002                   | 988           | 12.8        | 10.0          | 12.1                  |
| CY2001                   | 1078          | 14.2        | 10.0          | 16.1                  |
| CY2000                   | 831           | 15.0        | 10.0          | 18.6                  |

**Table 21: Calendar Year - 2003: Percentage Awarded for Permanent Partial Disability  
Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Number | Mean | Median | Std. Deviation |
|-------------------|--------|------|--------|----------------|
| 1                 | 46     | 37.4 | 35.0   | 23.4           |
| 2                 | 55     | 37.1 | 32.0   | 22.6           |
| 3                 | 41     | 32.5 | 24.5   | 25.0           |
| 4                 | 37     | 31.8 | 24.0   | 23.0           |
| 5                 | 13     | 31.6 | 24.0   | 22.2           |
| 6                 | 82     | 32.7 | 25.5   | 21.7           |
| 7                 | 24     | 33.8 | 23.9   | 23.0           |
| 8                 | 41     | 34.3 | 30.0   | 23.3           |
| 9                 | 25     | 40.4 | 35.0   | 29.7           |
| 10                | 36     | 36.4 | 30.1   | 24.1           |
| 11                | 96     | 35.4 | 30.0   | 23.9           |
| 12                | 19     | 46.3 | 40.0   | 29.3           |
| 13                | 20     | 33.8 | 27.0   | 23.0           |
| 14                | 10     | 29.2 | 16.6   | 25.0           |
| 15                | 12     | 48.3 | 52.5   | 29.4           |
| 16                | 44     | 32.0 | 28.8   | 21.5           |
| 17                | 6      | 22.9 | 18.2   | 15.8           |
| 18                | 16     | 35.3 | 30.9   | 23.8           |
| 19                | 21     | 35.0 | 26.0   | 24.1           |
| 20                | 133    | 33.4 | 25.0   | 25.2           |
| 21                | 6      | 30.6 | 29.9   | 15.6           |
| 22                | 22     | 48.7 | 46.8   | 32.7           |
| 23                | 10     | 29.3 | 32.3   | 9.4            |
| 24                | 30     | 35.5 | 31.0   | 18.4           |
| 25                | 24     | 32.0 | 29.0   | 20.0           |
| 26                | 32     | 36.8 | 31.2   | 23.7           |
| 27                | 16     | 41.9 | 34.0   | 24.8           |
| 28                | 10     | 33.2 | 31.7   | 17.1           |
| 29                | 3      | 27.8 | 27.5   | 14.3           |
| 30                | 131    | 32.0 | 26.4   | 21.6           |
| 31                | 7      | 40.3 | 32.0   | 27.4           |

|              |    |      |      |      |
|--------------|----|------|------|------|
| JD Not Given | 82 | 31.8 | 25.0 | 23.9 |
|--------------|----|------|------|------|

|           |      |      |      |      |
|-----------|------|------|------|------|
| Statewide | 1150 | 34.5 | 28.0 | 23.6 |
|-----------|------|------|------|------|

|        |      |      |      |      |
|--------|------|------|------|------|
| CY2002 | 1240 | 34.4 | 27.4 | 24.4 |
| CY2001 | 1198 | 34.3 | 30.0 | 23.5 |
| CY2000 | 921  | 32.9 | 25.0 | 23.3 |

**Table 22: Calendar Year - 2003: Permanent Partial Disability Multipliers - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Number | Mean | Median | Std. Deviation |
|-------------------|--------|------|--------|----------------|
| 1                 | 40     | 3.4  | 3.2    | 1.5            |
| 2                 | 53     | 3.2  | 3.0    | 1.1            |
| 3                 | 35     | 3.1  | 3.2    | 1.6            |
| 4                 | 34     | 3.2  | 3.0    | 1.4            |
| 5                 | 12     | 3.1  | 2.8    | 1.2            |
| 6                 | 73     | 3.1  | 3.0    | 1.5            |
| 7                 | 22     | 3.0  | 3.1    | 1.2            |
| 8                 | 36     | 3.0  | 3.0    | 1.3            |
| 9                 | 18     | 3.2  | 3.0    | 1.4            |
| 10                | 33     | 3.3  | 3.3    | 1.6            |
| 11                | 81     | 3.3  | 3.0    | 1.6            |
| 12                | 15     | 4.2  | 4.0    | 1.9            |
| 13                | 17     | 3.6  | 3.3    | 2.6            |
| 14                | 9      | 3.1  | 3.1    | 1.2            |
| 15                | 11     | 3.6  | 3.0    | 2.8            |
| 16                | 38     | 2.9  | 2.9    | 1.2            |
| 17                | 5      | 3.3  | 3.8    | 1.8            |
| 18                | 13     | 2.8  | 2.5    | 1.0            |
| 19                | 20     | 2.9  | 3.0    | 1.1            |
| 20                | 118    | 3.4  | 3.3    | 1.7            |
| 21                | 4      | 3.3  | 3.7    | 0.9            |
| 22                | 22     | 3.5  | 3.7    | 2.4            |
| 23                | 10     | 2.8  | 3.0    | 0.9            |
| 24                | 28     | 3.2  | 2.7    | 1.7            |
| 25                | 22     | 3.0  | 3.0    | 1.1            |
| 26                | 26     | 3.1  | 2.8    | 1.3            |
| 27                | 15     | 3.2  | 2.7    | 1.1            |
| 28                | 10     | 3.4  | 3.6    | 1.4            |
| 29                | 3      | 1.9  | 1.6    | 0.7            |
| 30                | 116    | 2.8  | 2.5    | 1.4            |
| 31                | 6      | 3.2  | 3.1    | 0.5            |
|                   |        |      |        |                |
| JD Not Given      | 69     | 3.2  | 3.0    | 1.5            |
|                   |        |      |        |                |
| Statewide         | 1014   | 3.2  | 3.0    | 1.5            |
|                   |        |      |        |                |
| CY2002            | 976    | 3.2  | 3.0    | 1.8            |
| CY2001            | 1073   | 3.2  | 3.0    | 1.8            |
| CY2000            | 827    | 3.1  | 2.9    | 1.7            |

**Table 23: Calendar Year - 2003: Permanent Partial Disability - Monetary Benefits - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 46            | \$45,917.30 | \$34,232.80   | \$41,107.63           |
| 2                        | 56            | \$51,177.79 | \$40,784.01   | \$40,351.71           |
| 3                        | 39            | \$44,316.16 | \$36,583.20   | \$35,607.44           |
| 4                        | 37            | \$39,895.37 | \$33,964.80   | \$32,364.77           |
| 5                        | 13            | \$37,470.91 | \$31,681.60   | \$33,948.29           |
| 6                        | 82            | \$40,483.44 | \$29,113.04   | \$34,300.79           |
| 7                        | 24            | \$51,517.12 | \$38,818.54   | \$42,441.90           |
| 8                        | 40            | \$39,582.79 | \$23,070.26   | \$37,799.85           |
| 9                        | 25            | \$57,369.61 | \$36,053.68   | \$53,438.79           |
| 10                       | 36            | \$43,095.04 | \$34,547.52   | \$32,113.85           |
| 11                       | 97            | \$50,910.31 | \$37,038.40   | \$45,018.27           |
| 12                       | 17            | \$67,145.08 | \$45,913.60   | \$53,122.72           |
| 13                       | 20            | \$47,076.08 | \$32,746.10   | \$39,118.30           |
| 14                       | 10            | \$37,190.21 | \$26,995.57   | \$30,098.09           |
| 15                       | 11            | \$59,546.94 | \$55,094.00   | \$46,065.75           |
| 16                       | 44            | \$51,767.78 | \$47,815.00   | \$38,897.64           |
| 17                       | 6             | \$36,730.34 | \$15,559.00   | \$43,215.50           |
| 18                       | 16            | \$51,784.97 | \$35,739.40   | \$40,148.64           |
| 19                       | 21            | \$45,103.02 | \$27,600.00   | \$39,598.17           |
| 20                       | 132           | \$50,393.18 | \$34,499.20   | \$47,022.85           |
| 21                       | 6             | \$30,095.48 | \$26,481.74   | \$15,673.01           |
| 22                       | 21            | \$78,614.80 | \$51,416.00   | \$75,774.78           |
| 23                       | 10            | \$39,520.63 | \$34,748.80   | \$20,534.49           |
| 24                       | 30            | \$40,024.65 | \$38,678.92   | \$25,164.23           |
| 25                       | 23            | \$42,097.49 | \$26,600.00   | \$39,862.12           |
| 26                       | 32            | \$40,514.67 | \$36,933.16   | \$28,590.40           |
| 27                       | 16            | \$73,990.68 | \$56,835.48   | \$58,261.02           |
| 28                       | 10            | \$41,986.13 | \$27,501.12   | \$33,258.91           |
| 29                       | 3             | \$35,517.29 | \$27,500.00   | \$24,535.92           |
| 30                       | 130           | \$46,116.06 | \$34,389.12   | \$44,235.67           |
| 31                       | 7             | \$54,185.07 | \$68,587.52   | \$37,785.47           |
| JD Not Given             | 79            | \$44,006.02 | \$36,739.20   | \$39,430.83           |
| Statewide                | 1139          | \$47,429.34 | \$34,996.24   | \$41,831.40           |
| CY2002                   | 1229          | \$43,355.79 |               |                       |
| CY2001                   | 1189          | \$42,772.66 |               |                       |
| CY2000                   | 909           | \$38,697.80 |               |                       |

## ARM INJURIES - EMPLOYEE RETURNED TO PRE- INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Average PPI ratings for cases concluding in 2003 involving an injury to the arm where the injured worker returned to work are listed in Table 24. The statewide mean PPI rating is 7.8% to the arm. The data ranges from 5.5% in Judicial District 18 to 11.3% in Judicial Districts 24 and 28. Differences between judicial districts are statistically significant.<sup>24</sup> Some potential reasons for differences in PPI ratings between judicial districts are the doctors involved in the cases and the parties that hire them, differences in injury and industry mixes and differences related to rural compared to urban areas. Mean PPI ratings have decreased 14% from 2000 to 2003.

### PERMANENT PARTIAL DISABILITY PERCENTAGE

The average PPD percentage for 2003 return to work (for pre-injury employer) arm cases are listed in Table 25. The statewide mean is 19.1% to the arm (38.2 weeks) with a range of 14.3% (28.6 weeks) in Judicial District 16 to 28.9% (57.8 weeks) in Judicial District 15. Differences between judicial districts are statistically significant.<sup>25</sup> Arm injury cases where injured workers returned to work show no consistent trend of increasing or decreasing.

### PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 26 lists the average PPD multiplier for cases concluded in 2003 involving arm injuries where the injured worker returned to work. The statewide mean multiplier is 2.9 with a range from 2.3 in Judicial District 5 to 4.6 in Judicial District 15. Cases were selected for analysis only if PPI ratings and PPD judgment/settlement percentages were listed as injuries to the arm on SD-1 forms. Differences between judicial districts are statistically significant.<sup>26</sup> The multiplier has

---

<sup>24</sup>  $p < .01$  Kruskal Wallis Test

<sup>25</sup>  $p < .01$  Kruskal Wallis Test

<sup>26</sup>  $p < .01$  Kruskal Wallis Test

remained virtually constant for the four years analyzed, edging up from 2.7 in 2000 to 2.9 in 2003.

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Table 27 displays the average PPD monetary amounts paid in return to work arm cases for 2003. The mean amount paid for return to work arm cases is \$13,055.28 with a range of \$9,318.96 in Judicial District 12 to \$25,196.76 in Judicial District 31. Mean PPD judgment/settlement amounts have remained relatively constant from 2000 to 2003.

**Table 24: Calendar Year - 2003: Permanent Partial Impairment - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 27            | 8.0         | 3.0           | 13.7                  |
| 2                        | 26            | 9.7         | 6.5           | 7.2                   |
| 3                        | 34            | 8.5         | 5.0           | 9.6                   |
| 4                        | 17            | 8.8         | 5.0           | 11.7                  |
| 5                        | 14            | 6.6         | 5.0           | 4.7                   |
| 6                        | 61            | 6.3         | 5.0           | 4.6                   |
| 7                        | 18            | 6.3         | 5.0           | 4.6                   |
| 8                        | 11            | 6.0         | 5.0           | 4.6                   |
| 9                        | 24            | 6.8         | 5.0           | 6.2                   |
| 10                       | 17            | 7.3         | 5.0           | 5.6                   |
| 11                       | 80            | 6.6         | 5.0           | 6.5                   |
| 12                       | 24            | 6.0         | 5.0           | 4.9                   |
| 13                       | 22            | 10.7        | 7.0           | 9.1                   |
| 14                       | 12            | 9.6         | 7.8           | 8.9                   |
| 15                       | 23            | 7.8         | 5.0           | 7.6                   |
| 16                       | 76            | 5.9         | 4.0           | 5.9                   |
| 17                       | 13            | 7.1         | 5.0           | 4.3                   |
| 18                       | 11            | 5.5         | 5.0           | 2.5                   |
| 19                       | 26            | 6.4         | 5.0           | 5.5                   |
| 20                       | 187           | 7.7         | 5.0           | 9.5                   |
| 21                       | 5             | 6.2         | 6.0           | 2.6                   |
| 22                       | 16            | 9.7         | 5.0           | 10.7                  |
| 23                       | 7             | 6.4         | 5.0           | 5.1                   |
| 24                       | 53            | 11.3        | 10.0          | 6.5                   |
| 25                       | 32            | 11.1        | 10.0          | 9.9                   |
| 26                       | 49            | 8.4         | 9.0           | 7.5                   |
| 27                       | 45            | 8.4         | 10.0          | 4.9                   |
| 28                       | 33            | 11.3        | 10.0          | 16.6                  |
| 29                       | 18            | 7.9         | 5.8           | 5.9                   |
| 30                       | 100           | 8.5         | 5.0           | 7.7                   |
| 31                       | 6             | 8.5         | 6.5           | 6.4                   |
|                          |               |             |               |                       |
| JD Not Given             | 127           | 6.4         | 5.0           | 5.3                   |
|                          |               |             |               |                       |
| Statewide                | 1214          | 7.8         | 5.0           | 7.9                   |
|                          |               |             |               |                       |
| CY2002                   | 1089          | 8.2         | 5.0           | 7.9                   |
| CY2001                   | 1289          | 9.0         | 6.0           | 8.3                   |
| CY2000                   | 1383          | 9.1         | 7.0           | 8.5                   |

**Table 25: Calendar Year - 2003: Percentage Awarded for Permanent Partial Disability - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 27            | 21.1        | 10.0          | 23.1                  |
| 2                        | 25            | 22.3        | 14.4          | 18.5                  |
| 3                        | 34            | 19.1        | 12.6          | 19.0                  |
| 4                        | 17            | 20.3        | 15.0          | 17.0                  |
| 5                        | 14            | 14.4        | 14.3          | 9.3                   |
| 6                        | 61            | 17.6        | 12.5          | 13.0                  |
| 7                        | 18            | 16.2        | 9.5           | 15.8                  |
| 8                        | 11            | 18.3        | 17.0          | 10.4                  |
| 9                        | 24            | 20.3        | 13.3          | 18.7                  |
| 10                       | 17            | 18.1        | 13.0          | 12.1                  |
| 11                       | 80            | 16.6        | 12.0          | 15.1                  |
| 12                       | 24            | 17.4        | 12.0          | 17.1                  |
| 13                       | 22            | 32.0        | 28.0          | 20.6                  |
| 14                       | 12            | 25.5        | 22.3          | 18.5                  |
| 15                       | 23            | 28.9        | 25.0          | 21.7                  |
| 16                       | 76            | 14.3        | 12.0          | 8.4                   |
| 17                       | 13            | 24.5        | 15.0          | 19.7                  |
| 18                       | 11            | 14.4        | 14.0          | 3.8                   |
| 19                       | 26            | 19.3        | 16.1          | 11.7                  |
| 20                       | 186           | 17.4        | 12.0          | 17.1                  |
| 21                       | 5             | 21.0        | 21.0          | 14.5                  |
| 22                       | 16            | 28.4        | 19.3          | 25.7                  |
| 23                       | 7             | 17.3        | 18.0          | 8.3                   |
| 24                       | 53            | 25.7        | 25.0          | 11.4                  |
| 25                       | 32            | 24.8        | 20.9          | 16.2                  |
| 26                       | 49            | 19.8        | 20.0          | 15.7                  |
| 27                       | 45            | 16.7        | 17.0          | 8.3                   |
| 28                       | 33            | 24.5        | 21.0          | 18.8                  |
| 29                       | 18            | 19.4        | 19.4          | 14.4                  |
| 30                       | 99            | 18.8        | 15.0          | 15.2                  |
| 31                       | 6             | 31.7        | 24.5          | 19.4                  |
|                          |               |             |               |                       |
| JD Not Given             | 127           | 15.2        | 12.0          | 10.7                  |
|                          |               |             |               |                       |
| Statewide                | 1211          | 19.1        | 15.0          | 15.6                  |
|                          |               |             |               |                       |
| CY2002                   | 1089          | 19.0        | 15.0          | 16.8                  |
| CY2001                   | 1287          | 21.1        | 16.0          | 16.8                  |
| CY2000                   | 1380          | 20.6        | 17.5          | 15.8                  |

**Table 26: Calendar Year - 2003: Permanent Partial Disability Multipliers - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 26            | 3.7         | 2.9           | 3.0                   |
| 2                        | 26            | 3.0         | 2.7           | 3.3                   |
| 3                        | 34            | 2.5         | 2.0           | 1.7                   |
| 4                        | 17            | 3.0         | 3.0           | 1.9                   |
| 5                        | 14            | 2.3         | 2.3           | 0.9                   |
| 6                        | 61            | 2.9         | 2.5           | 1.3                   |
| 7                        | 18            | 2.8         | 2.5           | 2.1                   |
| 8                        | 11            | 4.2         | 3.0           | 3.2                   |
| 9                        | 24            | 3.4         | 2.5           | 2.6                   |
| 10                       | 17            | 2.8         | 3.0           | 1.0                   |
| 11                       | 79            | 2.6         | 2.5           | 1.3                   |
| 12                       | 24            | 2.8         | 2.8           | 1.6                   |
| 13                       | 22            | 3.6         | 3.0           | 1.8                   |
| 14                       | 12            | 2.9         | 2.7           | 1.0                   |
| 15                       | 23            | 4.6         | 3.3           | 3.2                   |
| 16                       | 76            | 3.1         | 3.0           | 1.2                   |
| 17                       | 13            | 3.2         | 3.0           | 1.2                   |
| 18                       | 11            | 2.9         | 3.0           | 0.7                   |
| 19                       | 26            | 3.4         | 3.0           | 1.5                   |
| 20                       | 186           | 2.7         | 2.5           | 1.4                   |
| 21                       | 5             | 3.9         | 3.0           | 3.6                   |
| 22                       | 16            | 3.5         | 2.6           | 1.6                   |
| 23                       | 7             | 3.0         | 3.1           | 0.8                   |
| 24                       | 53            | 2.8         | 2.5           | 1.4                   |
| 25                       | 32            | 3.0         | 2.4           | 2.0                   |
| 26                       | 49            | 2.8         | 2.4           | 1.6                   |
| 27                       | 45            | 2.4         | 2.0           | 1.4                   |
| 28                       | 32            | 2.8         | 2.4           | 2.4                   |
| 29                       | 18            | 2.7         | 2.6           | 1.0                   |
| 30                       | 99            | 2.7         | 2.5           | 1.5                   |
| 31                       | 6             | 4.4         | 3.8           | 2.0                   |
| JD Not Given             | 127           | 2.8         | 2.5           | 1.7                   |
| Statewide                | 1209          | 2.9         | 2.5           | 1.7                   |
| CY2002                   | 1086          | 2.8         | 2.5           | 1.7                   |
| CY2001                   | 1286          | 2.8         | 2.5           | 1.8                   |
| CY2000                   | 1381          | 2.7         | 2.3           | 1.7                   |

**Table 27: Calendar Year - 2003: Permanent Partial Disability - Monetary Benefits - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 32            | \$11,886.24 | \$6,836.89    | \$12,377.80           |
| 2                        | 26            | \$18,983.51 | \$11,561.80   | \$27,290.11           |
| 3                        | 36            | \$11,198.46 | \$6,220.03    | \$13,677.49           |
| 4                        | 22            | \$14,277.60 | \$10,693.12   | \$12,809.06           |
| 5                        | 18            | \$10,953.18 | \$7,106.73    | \$9,659.85            |
| 6                        | 66            | \$11,710.03 | \$9,667.80    | \$10,280.61           |
| 7                        | 19            | \$12,779.50 | \$7,161.22    | \$12,061.56           |
| 8                        | 14            | \$11,580.00 | \$10,792.17   | \$6,751.58            |
| 9                        | 27            | \$14,039.79 | \$9,706.76    | \$13,380.27           |
| 10                       | 24            | \$10,674.08 | \$9,864.00    | \$6,723.06            |
| 11                       | 94            | \$12,178.90 | \$7,153.38    | \$13,951.01           |
| 12                       | 28            | \$12,085.52 | \$10,082.58   | \$12,740.46           |
| 13                       | 24            | \$17,859.55 | \$14,588.40   | \$13,960.17           |
| 14                       | 12            | \$21,057.76 | \$13,894.13   | \$21,714.49           |
| 15                       | 25            | \$19,163.37 | \$15,684.00   | \$13,551.96           |
| 16                       | 93            | \$11,673.85 | \$11,620.00   | \$4,921.68            |
| 17                       | 13            | \$15,217.69 | \$10,067.10   | \$14,660.69           |
| 18                       | 12            | \$9,318.96  | \$7,910.48    | \$5,313.08            |
| 19                       | 31            | \$13,956.65 | \$12,726.40   | \$10,642.70           |
| 20                       | 205           | \$12,583.95 | \$8,000.10    | \$13,216.22           |
| 21                       | 5             | \$12,779.62 | \$8,420.16    | \$13,617.47           |
| 22                       | 16            | \$16,731.02 | \$13,971.70   | \$11,397.23           |
| 23                       | 7             | \$11,889.80 | \$12,367.60   | \$4,711.94            |
| 24                       | 56            | \$13,045.49 | \$11,638.40   | \$6,435.69            |
| 25                       | 34            | \$13,588.00 | \$12,829.43   | \$7,372.30            |
| 26                       | 53            | \$12,514.37 | \$9,875.44    | \$10,852.14           |
| 27                       | 49            | \$11,209.23 | \$9,086.40    | \$7,402.51            |
| 28                       | 38            | \$15,481.71 | \$12,506.32   | \$11,487.12           |
| 29                       | 18            | \$14,449.61 | \$10,046.56   | \$14,548.48           |
| 30                       | 113           | \$13,910.49 | \$9,429.60    | \$13,827.41           |
| 31                       | 7             | \$25,196.76 | \$23,240.00   | \$18,120.81           |
| JD Not Given             | 141           | \$11,771.89 | \$9,087.30    | \$9,713.03            |
| Statewide                | 1358          | \$13,055.28 | \$10,010.41   | \$12,095.04           |
| CY2002                   | 1255          | \$12,377.47 |               |                       |
| CY2001                   | 1415          | \$13,711.41 |               |                       |
| CY2000                   | 1541          | \$13,175.01 |               |                       |

## ARM INJURIES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

The average PPI ratings for calendar year 2003 arm cases in which the employee did not return to work for the pre-injury employer are listed in Table 28. The data ranges from 4.5% PPI to the arm in Judicial District 10<sup>27</sup> to 20.0% in Judicial District 29 with a statewide mean of 9.6%. Due to the small number of cases in each district, significance tests comparing judicial district averages were not performed on any of the data sets for no return to work arm cases. (Also due to the small number of cases, the ranges can appear more extreme, thus the reader is encouraged to look at the number of cases that comprise district averages before making too broad of a comparison.) Mean PPI rating for no return to work arm cases decreased roughly 10% each year from 2000 to 2003.

### PERMANENT PARTIAL DISABILITY PERCENTAGE

Average PPD percentages for cases that involved arm injuries where the worker did not return to work for the pre-injury employer are listed in Table 29 for cases closed in 2003. The mean PPD percentage is 28.1% to the arm (56.2 weeks) with a range of 19.9% (38.8 weeks) in Judicial District 10<sup>28</sup> to 55.5% (111 weeks) in Judicial District 22. PPD judgment/settlement amounts have remained around 28% for the last three years after dropping from 30.2% in 2000.

### PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 30 lists the average PPD multipliers for no return to work arm cases concluded in 2002. The statewide mean multiplier is 3.5 with a range of 1.8 in Judicial District 27 to 6.1 in Judicial District 9. PPD multipliers for cases involving arm injuries where the worker did not return

<sup>27</sup> The mean PPI percentage for Judicial District 10 is the lowest with more than one case. Judicial districts with only one case are not included in reporting mean ranges (highs and lows).

<sup>28</sup> The mean PPD percentage for Judicial District 10 is the lowest with more than one case. Judicial districts with only one case are not included in reporting mean ranges (highs and lows).

to work have increased from 3.2 in 2000 to 3.5 in 2003, or 2.4% from 2000 to 2001 and 6.8% from 2001 to 2002, with no change from 2002 to 2003.

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Table 31 displays average PPD monetary benefits paid for no return to work arm cases concluded in 2003. The mean dollar amount paid is \$17,199.20. Mean PPD amounts range of \$6,283.56 in Judicial District 4<sup>29</sup> to \$39,274.12 in Judicial District 15. PPD monetary benefits paid for no return to work arm cases increased 5% from 2002 to 2003 after only slight increases from 2000 to 2002.

---

<sup>29</sup> The mean PPD amount for Judicial District 4 is the lowest with more than one case.

**Table 28: Calendar Year - 2003: Permanent Partial Impairment - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 7             | 9.8         | 5.0           | 9.7                   |
| 2                        | 6             | 16.3        | 15.0          | 12.1                  |
| 3                        | 5             | 14.6        | 12.0          | 9.5                   |
| 4                        | 3             | 8.3         | 10.0          | 2.9                   |
| 5                        | 0             |             |               |                       |
| 6                        | 15            | 5.9         | 4.0           | 5.4                   |
| 7                        | 3             | 10.7        | 15.0          | 7.5                   |
| 8                        | 7             | 7.3         | 5.0           | 8.1                   |
| 9                        | 4             | 7.5         | 3.5           | 9.1                   |
| 10                       | 4             | 4.5         | 5.0           | 2.5                   |
| 11                       | 21            | 9.6         | 6.0           | 9.8                   |
| 12                       | 4             | 7.3         | 9.0           | 4.3                   |
| 13                       | 6             | 7.5         | 5.0           | 7.3                   |
| 14                       | 1             | 3.0         | 3.0           |                       |
| 15                       | 1             | 9.0         | 9.0           |                       |
| 16                       | 16            | 8.0         | 7.5           | 5.4                   |
| 17                       | 4             | 8.5         | 7.5           | 6.6                   |
| 18                       | 8             | 15.3        | 7.0           | 24.4                  |
| 19                       | 6             | 8.8         | 7.5           | 6.7                   |
| 20                       | 39            | 8.4         | 5.0           | 6.4                   |
| 21                       | 1             | 10.0        | 10.0          |                       |
| 22                       | 2             | 19.0        | 19.0          | 1.4                   |
| 23                       | 7             | 13.4        | 10.5          | 8.8                   |
| 24                       | 5             | 9.8         | 10.0          | 5.8                   |
| 25                       | 1             | 10.0        | 10.0          |                       |
| 26                       | 15            | 10.1        | 10.0          | 4.7                   |
| 27                       | 3             | 12.3        | 10.0          | 6.8                   |
| 28                       | 5             | 10.5        | 10.0          | 2.7                   |
| 29                       | 3             | 20.0        | 10.0          | 21.8                  |
| 30                       | 22            | 9.1         | 10.0          | 5.2                   |
| 31                       | 4             | 6.6         | 6.3           | 3.4                   |
|                          |               |             |               |                       |
| JD Not Given             | 24            | 10.2        | 9.0           | 6.9                   |
|                          |               |             |               |                       |
| Statewide                | 252           | 9.6         | 8.0           | 8.3                   |
|                          |               |             |               |                       |
| CY2002                   | 285           | 10.6        | 7.5           | 9.8                   |
| CY2001                   | 308           | 11.6        | 10.0          | 10.3                  |
| CY2000                   | 227           | 12.9        | 10.0          | 12.5                  |

**Table 29: Calendar Year - 2003: Percentage Awarded for Permanent Partial Disability - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Number | Mean | Median | Std. Deviation |
|-------------------|--------|------|--------|----------------|
| 1                 | 7      | 22.6 | 12.5   | 18.8           |
| 2                 | 6      | 45.8 | 51.3   | 23.0           |
| 3                 | 5      | 35.4 | 36.9   | 19.5           |
| 4                 | 3      | 21.0 | 21.0   | 1.0            |
| 5                 | 0      |      |        |                |
| 6                 | 15     | 22.4 | 14.0   | 23.1           |
| 7                 | 3      | 25.4 | 16.3   | 17.0           |
| 8                 | 7      | 28.1 | 22.5   | 23.4           |
| 9                 | 4      | 35.7 | 26.9   | 35.2           |
| 10                | 4      | 19.9 | 20.5   | 7.6            |
| 11                | 21     | 26.8 | 20.0   | 20.8           |
| 12                | 4      | 33.6 | 35.8   | 7.5            |
| 13                | 6      | 30.3 | 25.5   | 17.8           |
| 14                | 1      | 16.0 | 16.0   |                |
| 15                | 0      |      |        |                |
| 16                | 16     | 25.9 | 23.5   | 15.8           |
| 17                | 4      | 28.0 | 28.0   | 19.1           |
| 18                | 8      | 31.8 | 23.0   | 29.6           |
| 19                | 6      | 36.7 | 27.5   | 24.4           |
| 20                | 39     | 24.2 | 20.3   | 17.0           |
| 21                | 1      | 21.0 | 21.0   |                |
| 22                | 2      | 55.5 | 55.5   | 29.0           |
| 23                | 7      | 39.3 | 35.0   | 28.0           |
| 24                | 5      | 24.7 | 21.0   | 14.4           |
| 25                | 1      | 24.0 | 24.0   |                |
| 26                | 15     | 24.7 | 22.5   | 9.7            |
| 27                | 3      | 22.8 | 15.0   | 14.9           |
| 28                | 5      | 28.1 | 26.6   | 7.5            |
| 29                | 3      | 53.3 | 40.0   | 41.6           |
| 30                | 22     | 24.8 | 20.0   | 16.1           |
| 31                | 4      | 22.6 | 28.3   | 12.5           |

|              |    |      |      |      |
|--------------|----|------|------|------|
| JD Not Given | 24 | 32.1 | 25.5 | 23.1 |
|--------------|----|------|------|------|

|           |     |      |      |      |
|-----------|-----|------|------|------|
| Statewide | 251 | 28.1 | 22.5 | 19.7 |
|-----------|-----|------|------|------|

|        |     |      |      |      |
|--------|-----|------|------|------|
| CY2002 | 285 | 28.7 | 22.0 | 19.6 |
| CY2001 | 308 | 28.5 | 23.8 | 19.6 |
| CY2000 | 227 | 30.2 | 25.3 | 17.7 |

**Table 30: Calendar Year - 2003: Permanent Partial Disability Multipliers - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 7             | 3.6         | 2.5           | 2.4                   |
| 2                        | 6             | 3.7         | 2.8           | 2.9                   |
| 3                        | 5             | 2.5         | 2.1           | 0.9                   |
| 4                        | 3             | 2.8         | 2.1           | 1.4                   |
| 5                        | 0             |             |               |                       |
| 6                        | 14            | 3.2         | 3.0           | 1.2                   |
| 7                        | 3             | 3.9         | 3.0           | 3.3                   |
| 8                        | 7             | 4.2         | 4.0           | 1.2                   |
| 9                        | 4             | 5.3         | 5.0           | 2.4                   |
| 10                       | 4             | 5.7         | 4.9           | 3.1                   |
| 11                       | 21            | 3.5         | 3.0           | 1.9                   |
| 12                       | 3             | 3.6         | 3.5           | 1.4                   |
| 13                       | 5             | 4.7         | 3.0           | 2.8                   |
| 14                       | 1             | 5.3         | 5.3           |                       |
| 15                       | 0             |             |               |                       |
| 16                       | 16            | 3.7         | 3.7           | 1.3                   |
| 17                       | 4             | 3.4         | 3.3           | 0.5                   |
| 18                       | 8             | 3.2         | 3.1           | 1.0                   |
| 19                       | 6             | 6.1         | 3.9           | 5.3                   |
| 20                       | 39            | 3.3         | 3.0           | 1.4                   |
| 21                       | 1             | 2.1         | 2.1           |                       |
| 22                       | 2             | 3.0         | 3.0           | 1.7                   |
| 23                       | 7             | 2.8         | 2.7           | 0.6                   |
| 24                       | 5             | 3.0         | 3.1           | 1.4                   |
| 25                       | 1             | 2.4         | 2.4           |                       |
| 26                       | 15            | 2.9         | 3.0           | 1.3                   |
| 27                       | 3             | 1.8         | 1.9           | 0.3                   |
| 28                       | 5             | 2.8         | 2.3           | 0.8                   |
| 29                       | 3             | 4.1         | 2.2           | 3.4                   |
| 30                       | 22            | 2.8         | 2.4           | 1.3                   |
| 31                       | 4             | 3.4         | 3.3           | 1.9                   |
|                          |               |             |               |                       |
| JD Not Given             | 24            | 3.8         | 3.2           | 2.6                   |
|                          |               |             |               |                       |
| Statewide                | 248           | 3.5         | 3.0           | 1.9                   |
|                          |               |             |               |                       |
| CY2002                   | 285           | 3.5         | 3.0           | 2.0                   |
| CY2001                   | 306           | 3.3         | 3.0           | 2.0                   |
| CY2000                   | 226           | 3.2         | 3.0           | 1.7                   |

**Table 31: Calendar Year - 2003: Permanent Partial Disability - Monetary Benefits - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b>        | <b>Median</b>      | <b>Std. Deviation</b> |
|--------------------------|---------------|--------------------|--------------------|-----------------------|
| 1                        | 4             | \$13,536.32        | \$12,348.48        | \$7,179.61            |
| 2                        | 3             | \$31,822.66        | \$23,495.40        | \$26,969.77           |
| 3                        | 2             | \$27,691.22        | \$27,691.22        | \$9,461.63            |
| 4                        | 2             | \$6,283.56         | \$6,283.56         | \$3,179.77            |
| 5                        | 3             | \$10,149.82        | \$2,519.60         | \$13,215.91           |
| 6                        | 3             | \$24,036.24        | \$15,293.70        | \$23,458.59           |
| 7                        | 3             | \$6,884.73         | \$2,368.80         | \$9,163.76            |
| 8                        | 3             | \$22,777.11        | \$10,143.36        | \$23,999.79           |
| 9                        | 4             | \$23,673.02        | \$28,748.31        | \$13,134.80           |
| 10                       | 2             | \$18,598.41        | \$18,598.41        | \$9,026.09            |
| 11                       | 23            | \$13,072.38        | \$10,944.00        | \$10,893.98           |
| 12                       | 4             | \$14,249.20        | \$14,111.05        | \$5,646.90            |
| 13                       | 6             | \$19,077.57        | \$16,322.70        | \$14,057.48           |
| 14                       | 1             | \$4,803.20         | \$4,803.20         |                       |
| 15                       | 3             | \$39,274.12        | \$19,517.40        | \$43,592.58           |
| 16                       | 17            | \$19,628.75        | \$17,430.00        | \$15,695.66           |
| 17                       | 6             | \$15,595.97        | \$12,390.64        | \$11,579.41           |
| 18                       | 8             | \$17,545.96        | \$12,527.92        | \$12,576.77           |
| 19                       | 8             | \$18,882.33        | \$9,966.30         | \$22,530.75           |
| 20                       | 42            | \$15,130.30        | \$10,026.68        | \$14,479.74           |
| 21                       | 1             | \$10,981.74        | \$10,981.74        |                       |
| 22                       | 3             | \$15,747.51        | \$13,958.16        | \$9,941.43            |
| 23                       | 10            | \$23,059.92        | \$17,147.13        | \$23,542.15           |
| 24                       | 5             | \$14,237.41        | \$12,948.18        | \$6,774.82            |
| 25                       | 2             | \$10,557.69        | \$10,557.69        | \$3,895.89            |
| 26                       | 19            | \$14,673.24        | \$11,180.40        | \$9,340.04            |
| 27                       | 4             | \$19,398.97        | \$11,570.84        | \$17,077.23           |
| 28                       | 5             | \$16,529.94        | \$16,896.64        | \$2,614.88            |
| 29                       | 3             | \$29,170.93        | \$14,932.80        | \$26,724.66           |
| 30                       | 13            | \$23,223.83        | \$17,794.00        | \$20,399.76           |
| 31                       | 3             | \$22,840.49        | \$22,850.26        | \$6,635.61            |
| <b>JD Not Given</b>      | <b>76</b>     | <b>\$16,275.65</b> | <b>\$11,170.55</b> | <b>\$15,496.60</b>    |
| <b>Statewide</b>         | <b>291</b>    | <b>\$17,199.20</b> | <b>\$12,580.00</b> | <b>\$15,420.01</b>    |
| CY2002                   | 342           | \$16,373.87        |                    |                       |
| CY2001                   | 348           | \$16,146.31        |                    |                       |
| CY2000                   | 253           | \$16,052.76        |                    |                       |

## LEG INJURIES - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Average highest PPI ratings for 2003 cases involving a leg injury where the employee returned to work for the pre-injury employer are listed in Table 32. The statewide mean PPI rating is 8.9% to the leg with a range of 7.2% in Judicial District 3 to 16.5% in Judicial District 24. For leg injury cases where the injured worker returned to work, PPI ratings decreased at a rate of 4.1% from 2000 to 2001, 7.5% from 2001 to 2002 and increased from 3.5% from 2002 to 2003.

### PERMANENT PARTIAL DISABILITY PERCENTAGE

Average PPD percentage for judgments and settlements for 2003 return to work leg injury cases range from 16.9% (33.8 weeks) to the leg in Judicial Districts 1 and 2 to 33.1% (66.2 weeks) in Judicial District 24 and can be found in Table 33. The statewide mean is 21.2% to the leg (42.4 weeks). Differences between judicial districts are statistically significant.<sup>30</sup> PPD percentage amounts for return to work leg cases decreased 2.3% from 2000 to 2001, 3.1% from 2001 to 2002 and increased 2.4% from 2002 to 2003.

### PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 34 lists the average PPD multipliers for 2003 return to work leg injury cases. Only cases in which the PPI rating and the PPD percentage were attributed to the leg on the SD-1 form are included in the analysis. The statewide mean PPD multiplier is 2.8 with a range of 2.0 in Judicial District 17<sup>31</sup> to 3.5 in Judicial District 7. Differences between judicial districts are statistically significant.<sup>32</sup> There has been relatively no change in PPD multipliers for return to work leg cases from 2000 to 2003.

---

<sup>30</sup>  $p < .01$  Kruskal Wallis Test

<sup>31</sup> The mean PPD multiplier for Judicial District 7 is the lowest with more than one case.

<sup>32</sup>  $p < .03$  Kruskal Wallis Test

---

## PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

The statewide mean PPD monetary amount paid for 2003 return to work leg injury cases is \$16,268.29 with a range of \$10,722.94 in Judicial District 1<sup>33</sup> to \$27,539.39 in Judicial District 23. The average PPD monetary payments for all judicial districts for 2003 return to work leg injury cases are listed in Table 35. Monetary amounts paid for return to work leg cases have decreased 3.4% from 2000 to 2001, increased 1.5% from 2001 to 2002 and increased 10.4% from 2002 to 2003.

---

<sup>33</sup> The mean PPD amount for Judicial District 1 is the lowest with more than one case.

**Table 32: Calendar Year - 2003: Permanent Partial Impairment - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Number | Mean | Median | Std. Deviation |
|-------------------|--------|------|--------|----------------|
| 1                 | 39     | 8.0  | 6.0    | 8.9            |
| 2                 | 19     | 7.6  | 7.0    | 3.9            |
| 3                 | 36     | 7.2  | 5.0    | 5.7            |
| 4                 | 24     | 9.2  | 7.0    | 11.2           |
| 5                 | 15     | 8.3  | 7.0    | 8.1            |
| 6                 | 83     | 7.4  | 5.0    | 7.9            |
| 7                 | 20     | 9.0  | 7.0    | 7.5            |
| 8                 | 18     | 9.4  | 7.0    | 6.5            |
| 9                 | 30     | 10.2 | 7.0    | 10.8           |
| 10                | 20     | 10.4 | 8.0    | 8.0            |
| 11                | 72     | 7.5  | 6.0    | 6.7            |
| 12                | 16     | 11.1 | 7.8    | 12.2           |
| 13                | 13     | 10.8 | 8.0    | 11.3           |
| 14                | 5      | 9.4  | 7.0    | 7.5            |
| 15                | 13     | 10.3 | 7.0    | 10.2           |
| 16                | 43     | 9.9  | 7.0    | 10.4           |
| 17                | 5      | 8.6  | 12.0   | 4.8            |
| 18                | 13     | 8.7  | 6.0    | 6.9            |
| 19                | 20     | 8.6  | 7.5    | 6.1            |
| 20                | 172    | 8.6  | 5.5    | 8.9            |
| 21                | 7      | 8.3  | 3.0    | 9.2            |
| 22                | 13     | 8.9  | 5.0    | 12.7           |
| 23                | 10     | 11.9 | 8.5    | 11.5           |
| 24                | 21     | 16.5 | 10.0   | 12.8           |
| 25                | 17     | 10.7 | 5.0    | 16.2           |
| 26                | 26     | 11.8 | 10.0   | 9.2            |
| 27                | 26     | 11.8 | 12.0   | 8.3            |
| 28                | 13     | 8.2  | 5.0    | 6.7            |
| 29                | 7      | 8.4  | 7.0    | 5.0            |
| 30                | 127    | 9.0  | 7.0    | 8.0            |
| 31                | 1      | 1.0  | 1.0    |                |

|              |     |     |     |     |
|--------------|-----|-----|-----|-----|
| JD Not Given | 141 | 8.2 | 5.0 | 9.0 |
|--------------|-----|-----|-----|-----|

|           |      |     |     |     |
|-----------|------|-----|-----|-----|
| Statewide | 1085 | 8.9 | 7.0 | 8.9 |
|-----------|------|-----|-----|-----|

|        |      |     |     |     |
|--------|------|-----|-----|-----|
| CY2002 | 1075 | 8.6 | 7.0 | 7.8 |
| CY2001 | 1172 | 9.2 | 7.0 | 8.5 |
| CY2000 | 1181 | 9.7 | 7.0 | 9.8 |

**Table 33: Calendar Year - 2003: Percentage Awarded for Permanent Partial Disability - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Number | Mean | Median | Std. Deviation |
|-------------------|--------|------|--------|----------------|
| 1                 | 39     | 16.9 | 12.5   | 15.8           |
| 2                 | 19     | 16.9 | 20.0   | 8.3            |
| 3                 | 36     | 19.0 | 15.1   | 16.1           |
| 4                 | 24     | 25.6 | 17.0   | 24.6           |
| 5                 | 15     | 19.9 | 17.0   | 17.0           |
| 6                 | 83     | 19.5 | 14.0   | 18.9           |
| 7                 | 20     | 26.1 | 25.0   | 17.0           |
| 8                 | 18     | 31.8 | 26.5   | 21.3           |
| 9                 | 30     | 26.9 | 16.3   | 24.0           |
| 10                | 20     | 28.0 | 26.0   | 16.7           |
| 11                | 71     | 18.6 | 14.0   | 18.1           |
| 12                | 16     | 26.7 | 26.3   | 21.2           |
| 13                | 13     | 28.7 | 17.8   | 24.8           |
| 14                | 5      | 23.4 | 15.0   | 20.5           |
| 15                | 13     | 26.2 | 18.8   | 20.4           |
| 16                | 43     | 18.8 | 14.0   | 16.4           |
| 17                | 5      | 17.4 | 24.0   | 10.2           |
| 18                | 13     | 20.8 | 15.0   | 17.0           |
| 19                | 20     | 27.1 | 21.3   | 20.7           |
| 20                | 172    | 18.7 | 15.0   | 16.4           |
| 21                | 7      | 26.9 | 8.0    | 29.1           |
| 22                | 13     | 21.5 | 15.5   | 19.5           |
| 23                | 10     | 26.3 | 23.4   | 17.1           |
| 24                | 20     | 33.1 | 25.7   | 24.0           |
| 25                | 17     | 21.7 | 10.0   | 25.3           |
| 26                | 25     | 22.5 | 17.5   | 18.6           |
| 27                | 26     | 30.4 | 26.3   | 21.2           |
| 28                | 13     | 17.9 | 14.0   | 11.5           |
| 29                | 7      | 17.0 | 20.0   | 6.8            |
| 30                | 127    | 20.3 | 18.0   | 14.6           |
| 31                | 1      | 8.0  | 8.0    |                |

|              |     |      |      |      |
|--------------|-----|------|------|------|
| JD Not Given | 141 | 19.2 | 15.0 | 16.3 |
|--------------|-----|------|------|------|

|           |      |      |      |      |
|-----------|------|------|------|------|
| Statewide | 1082 | 21.2 | 16.0 | 18.0 |
|-----------|------|------|------|------|

|        |      |      |      |      |
|--------|------|------|------|------|
| CY2002 | 1075 | 20.7 | 15.3 | 17.4 |
| CY2001 | 1171 | 21.4 | 17.5 | 17.4 |
| CY2000 | 1179 | 21.9 | 16.0 | 18.2 |

**Table 34: Calendar Year - 2003: Permanent Partial Disability Multipliers - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 39            | 2.3         | 2.1           | 1.0                   |
| 2                        | 19            | 2.3         | 2.3           | 0.6                   |
| 3                        | 36            | 3.1         | 2.3           | 3.1                   |
| 4                        | 24            | 3.3         | 2.8           | 2.1                   |
| 5                        | 15            | 2.4         | 2.0           | 0.9                   |
| 6                        | 83            | 2.9         | 2.5           | 1.9                   |
| 7                        | 19            | 3.5         | 3.0           | 2.2                   |
| 8                        | 17            | 3.3         | 2.8           | 1.8                   |
| 9                        | 30            | 3.2         | 2.5           | 1.9                   |
| 10                       | 20            | 3.0         | 2.9           | 1.3                   |
| 11                       | 70            | 2.4         | 2.3           | 1.0                   |
| 12                       | 16            | 2.8         | 2.5           | 1.5                   |
| 13                       | 13            | 3.1         | 2.2           | 2.0                   |
| 14                       | 5             | 2.7         | 2.5           | 1.1                   |
| 15                       | 13            | 2.9         | 3.0           | 1.0                   |
| 16                       | 43            | 2.4         | 2.0           | 1.8                   |
| 17                       | 5             | 2.0         | 2.1           | 0.4                   |
| 18                       | 13            | 2.5         | 2.0           | 1.1                   |
| 19                       | 20            | 3.2         | 3.0           | 1.3                   |
| 20                       | 172           | 2.5         | 2.1           | 1.5                   |
| 21                       | 7             | 3.1         | 2.9           | 0.9                   |
| 22                       | 13            | 3.0         | 3.0           | 1.1                   |
| 23                       | 10            | 3.1         | 2.5           | 2.1                   |
| 24                       | 21            | 3.1         | 2.1           | 3.0                   |
| 25                       | 17            | 2.5         | 2.0           | 1.4                   |
| 26                       | 26            | 3.0         | 2.2           | 3.0                   |
| 27                       | 26            | 3.0         | 2.5           | 1.7                   |
| 28                       | 13            | 2.9         | 2.0           | 2.8                   |
| 29                       | 7             | 2.4         | 2.0           | 1.1                   |
| 30                       | 127           | 2.7         | 2.4           | 1.5                   |
| 31                       | 1             | 8.0         | 8.0           |                       |
|                          |               |             |               |                       |
| JD Not Given             | 141           | 3.0         | 2.5           | 2.2                   |
|                          |               |             |               |                       |
| Statewide                | 1081          | 2.8         | 2.5           | 1.8                   |
|                          |               |             |               |                       |
|                          |               |             |               |                       |
| CY2002                   | 1071          | 2.7         | 2.5           | 1.6                   |
| CY2001                   | 1170          | 2.7         | 2.5           | 1.4                   |
| CY2000                   | 1178          | 2.7         | 2.4           | 1.6                   |

**Table 35: Calendar Year - 2003: Permanent Partial Disability - Monetary Benefits - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Number | Mean        | Median      | Std. Deviation |
|-------------------|--------|-------------|-------------|----------------|
| 1                 | 45     | \$10,722.94 | \$8,003.52  | \$9,929.69     |
| 2                 | 19     | \$12,461.53 | \$10,654.20 | \$7,182.42     |
| 3                 | 40     | \$11,796.61 | \$8,225.83  | \$9,714.27     |
| 4                 | 31     | \$16,610.57 | \$10,411.00 | \$15,039.85    |
| 5                 | 16     | \$16,658.32 | \$15,459.60 | \$13,358.30    |
| 6                 | 89     | \$14,684.40 | \$8,386.00  | \$16,578.92    |
| 7                 | 27     | \$19,468.79 | \$15,818.40 | \$16,223.62    |
| 8                 | 21     | \$22,569.30 | \$15,086.00 | \$22,663.05    |
| 9                 | 29     | \$22,973.93 | \$12,717.90 | \$27,525.73    |
| 10                | 22     | \$18,408.23 | \$17,574.20 | \$12,136.58    |
| 11                | 85     | \$14,470.32 | \$7,962.40  | \$16,328.85    |
| 12                | 16     | \$16,910.54 | \$11,053.70 | \$15,607.44    |
| 13                | 15     | \$21,023.10 | \$9,428.88  | \$22,531.05    |
| 14                | 5      | \$17,426.40 | \$14,525.00 | \$11,745.16    |
| 15                | 14     | \$18,896.41 | \$14,889.80 | \$14,488.70    |
| 16                | 46     | \$17,752.78 | \$12,778.63 | \$16,887.70    |
| 17                | 7      | \$11,939.87 | \$14,509.20 | \$6,178.20     |
| 18                | 13     | \$17,592.77 | \$8,977.76  | \$19,685.15    |
| 19                | 23     | \$23,197.29 | \$12,757.44 | \$30,576.58    |
| 20                | 187    | \$13,908.94 | \$8,680.56  | \$13,798.42    |
| 21                | 8      | \$12,455.23 | \$6,629.24  | \$15,347.25    |
| 22                | 13     | \$17,003.57 | \$6,331.75  | \$17,136.54    |
| 23                | 10     | \$27,539.39 | \$21,650.51 | \$19,649.66    |
| 24                | 21     | \$20,607.88 | \$17,430.00 | \$15,695.11    |
| 25                | 19     | \$19,116.14 | \$9,286.80  | \$23,716.19    |
| 26                | 26     | \$17,778.76 | \$12,993.81 | \$16,094.40    |
| 27                | 28     | \$23,690.57 | \$22,424.30 | \$20,764.01    |
| 28                | 14     | \$12,949.69 | \$7,261.90  | \$12,631.18    |
| 29                | 9      | \$10,759.38 | \$10,167.25 | \$5,121.56     |
| 30                | 141    | \$17,006.85 | \$13,495.75 | \$14,125.54    |
| 31                | 1      | \$4,524.80  | \$4,524.80  |                |

|              |     |             |             |             |
|--------------|-----|-------------|-------------|-------------|
| JD Not Given | 149 | \$15,861.51 | \$11,573.10 | \$15,160.66 |
|--------------|-----|-------------|-------------|-------------|

|           |      |             |             |             |
|-----------|------|-------------|-------------|-------------|
| Statewide | 1189 | \$16,268.29 | \$11,042.88 | \$16,225.09 |
|-----------|------|-------------|-------------|-------------|

|        |      |             |
|--------|------|-------------|
| CY2002 | 1199 | \$14,732.17 |
| CY2001 | 1251 | \$14,513.51 |
| CY2000 | 1272 | \$15,007.87 |

## LEG INJURIES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

The average highest PPI ratings for leg injury cases where the injured worker did not return to work for the pre-injury employer for cases concluded in 2003 are listed in Table 36. The statewide mean PPI rating for no return to work leg cases is 13.2% to the leg with a range of 5.0% in Judicial District 13<sup>34</sup> to 23.7% in Judicial District 3 and 28<sup>35</sup>. As in the no return to work arm cases, due to the small number of cases per judicial district, significance tests for differences between judicial districts were not performed. Statewide mean PPI rating for no return to work leg injury cases have decreased 5.2% from 2000 to 2001 remained constant from 2001 to 2002 and decreased 9.6% from 2002 to 2003.

### PERMANENT PARTIAL DISABILITY PERCENTAGE

Average PPD percentages for calendar year 2003 cases tried and settled involving leg injuries where the employee did not return to work are listed in Table 37. The statewide mean PPD percentage is 36.2% PPD to the leg (72.4 weeks) with range of 14.5% (29 weeks) in Judicial District 26 to 90.7% (181.4 weeks) in Judicial District 3. Table 78 lists the average PPD percentages for 2003 no return to work leg injury cases. PPD percentages for no return to work leg injury cases decreased 10.0% from 2000 to 2001, increased 2.6% from 2001 to 2002 and decreased 1.9% from 2002 to 2003.

### PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 38 lists the average PPD multipliers for 2003 no return to work leg injury cases. The statewide mean multiplier for no return to work leg injury cases is 3.3 with a range of 1.9 in Judicial

<sup>34</sup>The mean PPD percentage for Judicial District 24 is the lowest with more than one case. Judicial districts with only one case are not included in reporting mean ranges (highs and lows).

<sup>35</sup>The mean PPD percentage for Judicial District 13 is the highest with more than one case. Judicial districts with only one case are not included in reporting mean ranges (highs and lows).

District 21 to 5.8 in Judicial District 8. Average PPD multipliers for leg injury cases have remained relatively constant from 2000 to 2003.

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Table 39 displays average PPD monetary benefits paid for no return to work leg cases concluded in 2003. The mean PPD benefit amount is \$21,980.19 with a range of \$8,126.74 in Judicial District 13 to \$41,725.29 in Judicial District 3<sup>36</sup>. Mean PPD monetary amounts for leg injury cases where the injured worker did not return to work decreased 13.0% from 2000 to 2001, 5.0% from 2001 to 2002 and 2.7% from 2002 to 2003.

---

<sup>36</sup>These three cases are all at or above 80% PPD and have high weekly compensation rates.

**Table 36: Calendar Year - 2003: Permanent Partial Impairment - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 16            | 13.8        | 9.0           | 12.4                  |
| 2                        | 9             | 16.9        | 7.0           | 16.5                  |
| 3                        | 3             | 23.7        | 21.0          | 5.5                   |
| 4                        | 10            | 7.6         | 6.0           | 6.4                   |
| 5                        | 8             | 11.6        | 7.0           | 8.2                   |
| 6                        | 17            | 12.5        | 7.0           | 12.2                  |
| 7                        | 5             | 9.6         | 10.0          | 2.5                   |
| 8                        | 3             | 7.5         | 7.0           | 3.3                   |
| 9                        | 9             | 15.7        | 10.0          | 13.4                  |
| 10                       | 3             | 11.3        | 9.0           | 7.8                   |
| 11                       | 13            | 14.8        | 10.0          | 14.6                  |
| 12                       | 6             | 19.7        | 10.0          | 17.6                  |
| 13                       | 2             | 5.0         | 5.0           | 0.0                   |
| 14                       | 3             | 14.7        | 15.0          | 12.5                  |
| 15                       | 4             | 16.3        | 17.0          | 13.7                  |
| 16                       | 8             | 22.1        | 19.0          | 14.2                  |
| 17                       | 0             |             |               |                       |
| 18                       | 1             | 10.0        | 10.0          |                       |
| 19                       | 10            | 12.9        | 8.0           | 13.1                  |
| 20                       | 32            | 12.0        | 10.0          | 9.1                   |
| 21                       | 3             | 15.3        | 10.0          | 13.8                  |
| 22                       | 3             | 11.7        | 8.0           | 7.2                   |
| 23                       | 1             | 2.0         | 2.0           |                       |
| 24                       | 3             | 18.0        | 10.0          | 16.5                  |
| 25                       | 2             | 19.0        | 19.0          | 19.8                  |
| 26                       | 5             | 7.2         | 5.0           | 5.4                   |
| 27                       | 4             | 9.3         | 8.5           | 8.5                   |
| 28                       | 3             | 23.7        | 26.0          | 10.7                  |
| 29                       | 2             | 8.3         | 8.3           | 4.6                   |
| 30                       | 42            | 13.6        | 9.5           | 12.4                  |
| 31                       | 1             | 12.0        | 12.0          |                       |
|                          |               |             |               |                       |
| JD Not Given             | 21            | 10.3        | 7.0           | 9.8                   |
|                          |               |             |               |                       |
| Statewide                | 252           | 13.2        | 9.0           | 11.5                  |
|                          |               |             |               |                       |
| CY2002                   | 243           | 14.6        | 9.0           | 15.5                  |
| CY2001                   | 273           | 14.6        | 10.0          | 14.0                  |
| CY2000                   | 196           | 15.5        | 10.0          | 14.8                  |

**Table 37: Calendar Year - 2003: Percentage Awarded for Permanent Partial Disability - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|---------------|-------------|---------------|-----------------------|
| 1                        | 16            | 38.4        | 35.0          | 20.1                  |
| 2                        | 9             | 35.7        | 23.8          | 29.2                  |
| 3                        | 3             | 90.7        | 90.0          | 3.5                   |
| 4                        | 10            | 23.2        | 22.3          | 12.8                  |
| 5                        | 8             | 31.1        | 25.5          | 22.3                  |
| 6                        | 17            | 35.4        | 25.0          | 25.7                  |
| 7                        | 5             | 31.6        | 30.0          | 13.8                  |
| 8                        | 3             | 40.6        | 31.7          | 26.2                  |
| 9                        | 9             | 40.0        | 46.9          | 18.6                  |
| 10                       | 3             | 23.8        | 27.0          | 5.9                   |
| 11                       | 13            | 33.0        | 26.0          | 24.4                  |
| 12                       | 6             | 48.1        | 34.0          | 29.2                  |
| 13                       | 2             | 24.5        | 24.5          | 7.8                   |
| 14                       | 3             | 40.3        | 30.0          | 36.6                  |
| 15                       | 4             | 41.0        | 38.0          | 31.2                  |
| 16                       | 8             | 54.2        | 50.5          | 19.9                  |
| 17                       | 0             |             |               |                       |
| 18                       | 1             | 46.0        | 46.0          |                       |
| 19                       | 10            | 42.0        | 35.5          | 28.7                  |
| 20                       | 32            | 34.3        | 29.5          | 22.6                  |
| 21                       | 3             | 26.2        | 20.0          | 18.5                  |
| 22                       | 3             | 39.3        | 40.0          | 19.0                  |
| 23                       | 1             | 6.0         | 6.0           |                       |
| 24                       | 3             | 44.0        | 38.0          | 27.5                  |
| 25                       | 2             | 27.7        | 27.7          | 14.5                  |
| 26                       | 5             | 14.5        | 10.4          | 7.7                   |
| 27                       | 4             | 22.1        | 21.8          | 9.0                   |
| 28                       | 3             | 65.5        | 71.5          | 37.9                  |
| 29                       | 2             | 46.0        | 46.0          | 22.6                  |
| 30                       | 42            | 35.1        | 28.5          | 25.9                  |
| 31                       | 1             | 35.0        | 35.0          |                       |
|                          |               |             |               |                       |
| JD Not Given             | 21            | 34.6        | 25.0          | 25.7                  |
|                          |               |             |               |                       |
| Statewide                | 252           | 36.2        | 30.0          | 24.3                  |
|                          |               |             |               |                       |
| CY2002                   | 243           | 36.9        | 28.0          | 26.9                  |
| CY2001                   | 273           | 35.9        | 30.0          | 25.5                  |
| CY2000                   | 196           | 39.9        | 30.0          | 27.9                  |

**Table 38: Calendar Year - 2003: Permanent Partial Disability Multipliers - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Number | Mean | Median | Std. Deviation |
|-------------------|--------|------|--------|----------------|
| 1                 | 16     | 4.1  | 3.8    | 2.5            |
| 2                 | 9      | 2.8  | 2.2    | 1.7            |
| 3                 | 3      | 4.0  | 4.4    | 0.8            |
| 4                 | 10     | 3.8  | 3.2    | 1.9            |
| 5                 | 8      | 2.9  | 2.8    | 1.0            |
| 6                 | 17     | 3.2  | 3.1    | 1.3            |
| 7                 | 5      | 3.3  | 3.0    | 1.1            |
| 8                 | 3      | 5.8  | 4.4    | 3.7            |
| 9                 | 9      | 4.1  | 3.5    | 2.5            |
| 10                | 3      | 2.6  | 3.0    | 1.1            |
| 11                | 13     | 2.7  | 2.5    | 1.6            |
| 12                | 6      | 3.1  | 3.1    | 1.2            |
| 13                | 2      | 4.9  | 4.9    | 1.6            |
| 14                | 3      | 3.3  | 3.0    | 1.5            |
| 15                | 4      | 3.1  | 3.2    | 1.0            |
| 16                | 8      | 2.9  | 3.2    | 1.0            |
| 17                | 0      |      |        |                |
| 18                | 1      | 4.6  | 4.6    |                |
| 19                | 9      | 3.2  | 3.3    | 1.1            |
| 20                | 32     | 3.2  | 3.0    | 1.4            |
| 21                | 3      | 1.9  | 2.0    | 0.4            |
| 22                | 3      | 3.6  | 2.9    | 1.2            |
| 23                | 1      | 3.0  | 3.0    |                |
| 24                | 3      | 3.1  | 2.0    | 2.0            |
| 25                | 2      | 2.3  | 2.3    | 1.7            |
| 26                | 5      | 3.5  | 2.1    | 3.7            |
| 27                | 4      | 4.7  | 3.9    | 3.6            |
| 28                | 3      | 2.6  | 2.8    | 0.5            |
| 29                | 2      | 5.7  | 5.7    | 0.4            |
| 30                | 42     | 3.0  | 2.5    | 1.2            |
| 31                | 1      | 2.9  | 2.9    |                |

|              |    |     |     |     |
|--------------|----|-----|-----|-----|
| JD Not Given | 20 | 3.4 | 3.4 | 1.2 |
|--------------|----|-----|-----|-----|

|           |     |     |     |     |
|-----------|-----|-----|-----|-----|
| Statewide | 250 | 3.3 | 3.0 | 1.7 |
|-----------|-----|-----|-----|-----|

|        |     |     |     |     |
|--------|-----|-----|-----|-----|
| CY2002 | 242 | 3.4 | 3.0 | 1.9 |
| CY2001 | 272 | 3.3 | 3.0 | 1.9 |
| CY2000 | 196 | 3.3 | 3.0 | 2.1 |

**Table 39: Calendar Year - 2003: Permanent Partial Disability - Monetary Benefits - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| <b>Judicial District</b> | <b>Number</b> | <b>Mean</b>        | <b>Median</b>      | <b>Std. Deviation</b> |
|--------------------------|---------------|--------------------|--------------------|-----------------------|
| 1                        | 16            | \$20,354.86        | \$17,678.00        | \$11,827.67           |
| 2                        | 12            | \$18,981.45        | \$10,154.44        | \$20,566.68           |
| 3                        | 3             | \$41,725.29        | \$40,321.26        | \$7,526.17            |
| 4                        | 10            | \$15,473.12        | \$12,568.40        | \$13,113.13           |
| 5                        | 9             | \$24,090.25        | \$19,492.90        | \$21,660.72           |
| 6                        | 20            | \$21,872.56        | \$15,492.72        | \$18,485.83           |
| 7                        | 6             | \$24,561.41        | \$24,081.70        | \$13,829.74           |
| 8                        | 4             | \$23,455.42        | \$21,688.04        | \$19,323.47           |
| 9                        | 10            | \$22,878.01        | \$17,514.48        | \$17,631.85           |
| 10                       | 4             | \$11,043.08        | \$12,485.37        | \$4,877.13            |
| 11                       | 18            | \$22,931.65        | \$17,741.30        | \$23,623.69           |
| 12                       | 7             | \$29,322.83        | \$16,148.48        | \$37,529.77           |
| 13                       | 2             | \$8,126.74         | \$8,126.74         | \$300.86              |
| 14                       | 3             | \$24,061.97        | \$28,113.00        | \$16,737.46           |
| 15                       | 5             | \$16,304.99        | \$18,244.80        | \$9,563.91            |
| 16                       | 9             | \$32,130.98        | \$18,138.24        | \$29,756.80           |
| 17                       | 0             |                    |                    |                       |
| 18                       | 1             | \$29,900.00        | \$29,900.00        |                       |
| 19                       | 12            | \$21,224.04        | \$13,469.88        | \$22,812.38           |
| 20                       | 33            | \$20,451.76        | \$17,919.84        | \$15,653.88           |
| 21                       | 3             | \$12,407.61        | \$9,212.00         | \$10,382.52           |
| 22                       | 3             | \$17,416.53        | \$12,409.60        | \$9,029.31            |
| 23                       | 1             | \$2,444.28         | \$2,444.28         |                       |
| 24                       | 4             | \$25,729.12        | \$25,621.24        | \$12,795.89           |
| 25                       | 2             | \$20,823.59        | \$20,823.59        | \$15,403.60           |
| 26                       | 7             | \$19,628.46        | \$7,537.80         | \$30,940.86           |
| 27                       | 4             | \$10,283.92        | \$10,577.38        | \$3,400.98            |
| 28                       | 3             | \$39,107.47        | \$17,384.50        | \$37,960.58           |
| 29                       | 2             | \$34,129.34        | \$34,129.34        | \$10,930.94           |
| 30                       | 43            | \$24,846.55        | \$15,936.00        | \$25,176.96           |
| 31                       | 1             | \$18,666.20        | \$18,666.20        |                       |
| <b>JD Not Given</b>      | <b>23</b>     | <b>\$18,623.99</b> | <b>\$13,334.00</b> | <b>\$18,904.18</b>    |
| <b>Statewide</b>         | <b>280</b>    | <b>\$21,980.19</b> | <b>\$15,258.10</b> | <b>\$20,302.15</b>    |
| CY2002                   | 289           | \$22,599.55        |                    |                       |
| CY2001                   | 293           | \$21,533.12        |                    |                       |
| CY2000                   | 219           | \$24,833.10        |                    |                       |

## **PSYCHOLOGICAL INJURY**

The parties are asked to indicate on each SD-1 form whether a psychological injury was claimed and are asked to indicate whether it was the sole injury claimed. Tables 40 and 41 give that data for cases closed in calendar years 2001 through 2003. The statewide percentage of cases where a psychological injury is claimed has decreased from 2.5% to 2.0% in the last three years. The percent claiming psychological injury as a sole injury is below 1% from 2001 to 2003.

**Table 40: Workers' Compensation Cases In Which Psychological Injury Was Claimed**

| Judicial District | 2001        |                              |         | 2002        |                              |         | 2003        |                              |         |
|-------------------|-------------|------------------------------|---------|-------------|------------------------------|---------|-------------|------------------------------|---------|
|                   | Total Cases | Number Claiming Psych Injury | Percent | Total Cases | Number Claiming Psych Injury | Percent | Total Cases | Number Claiming Psych Injury | Percent |
| 1                 | 116         | 6                            | 5.2%    | 144         | 8                            | 5.6%    | 306         | 6                            | 2.0%    |
| 2                 | 128         | 6                            | 4.7%    | 96          | 7                            | 7.3%    | 246         | 16                           | 6.5%    |
| 3                 | 220         | 12                           | 5.5%    | 161         | 12                           | 7.5%    | 307         | 8                            | 2.6%    |
| 4                 | 150         | 5                            | 3.3%    | 145         | 3                            | 2.1%    | 247         | 5                            | 2.0%    |
| 5                 | 71          | 6                            | 8.5%    | 86          | 1                            | 1.2%    | 141         | 1                            | 0.7%    |
| 6                 | 681         | 18                           | 2.6%    | 547         | 13                           | 2.4%    | 754         | 17                           | 2.3%    |
| 7                 | 163         | 10                           | 6.1%    | 153         | 3                            | 2.0%    | 263         | 5                            | 1.9%    |
| 8                 | 159         | 22                           | 13.8%   | 139         | 11                           | 7.9%    | 198         | 6                            | 3.0%    |
| 9                 | 113         | 5                            | 4.4%    | 134         | 13                           | 9.7%    | 289         | 6                            | 2.1%    |
| 10                | 278         | 14                           | 5.0%    | 227         | 10                           | 4.4%    | 253         | 8                            | 3.2%    |
| 11                | 893         | 23                           | 2.6%    | 698         | 17                           | 2.4%    | 769         | 19                           | 2.5%    |
| 12                | 202         | 10                           | 5.0%    | 132         | 3                            | 2.3%    | 154         | 3                            | 1.9%    |
| 13                | 221         | 3                            | 1.4%    | 96          | 2                            | 2.1%    | 180         | 3                            | 1.7%    |
| 14                | 64          | 1                            | 1.6%    | 64          | 1                            | 1.6%    | 71          |                              | 0.0%    |
| 15                | 181         | 2                            | 1.1%    | 118         | 0                            | 0.0%    | 127         | 1                            | 0.8%    |
| 16                | 560         | 15                           | 2.7%    | 403         | 10                           | 2.5%    | 494         | 6                            | 1.2%    |
| 17                | 108         | 3                            | 2.8%    | 83          | 2                            | 2.4%    | 79          |                              | 0.0%    |
| 18                | 100         |                              | 0.0%    | 106         | 5                            | 4.7%    | 116         | 3                            | 2.6%    |
| 19                | 142         | 7                            | 4.9%    | 159         | 2                            | 1.3%    | 197         | 3                            | 1.5%    |
| 20                | 2050        | 29                           | 1.4%    | 1687        | 23                           | 1.4%    | 1435        | 19                           | 1.3%    |
| 21                | 60          | 2                            | 3.3%    | 50          | 1                            | 2.0%    | 68          | 3                            | 4.4%    |
| 22                | 203         | 4                            | 2.0%    | 155         | 2                            | 1.3%    | 137         | 2                            | 1.5%    |
| 23                | 44          |                              | 0.0%    | 42          | 0                            | 0.0%    | 72          |                              | 0.0%    |
| 24                | 204         | 1                            | 0.5%    | 174         | 6                            | 3.4%    | 251         | 2                            | 0.8%    |
| 25                | 97          | 3                            | 3.1%    | 69          | 5                            | 7.2%    | 178         | 4                            | 2.2%    |
| 26                | 342         | 4                            | 1.2%    | 272         | 5                            | 1.8%    | 314         | 7                            | 2.2%    |
| 27                | 170         | 5                            | 2.9%    | 153         | 2                            | 1.3%    | 222         | 2                            | 0.9%    |
| 28                | 104         | 1                            | 1.0%    | 83          | 2                            | 2.4%    | 125         |                              | 0.0%    |
| 29                | 85          | 3                            | 3.5%    | 63          | 1                            | 1.6%    | 87          |                              | 0.0%    |
| 30                | 807         | 23                           | 2.9%    | 525         | 22                           | 4.2%    | 1036        | 34                           | 3.3%    |
| 31                | 85          | 1                            | 1.2%    | 66          | 1                            | 1.5%    | 61          | 1                            | 1.6%    |
|                   |             |                              |         |             |                              |         |             |                              |         |
| Not Given         | 1804        | 17                           | 0.9%    | 2847        | 26                           | 0.9%    | 1021        | 14                           | 1.4%    |
|                   |             |                              |         |             |                              |         |             |                              |         |
| Statewide         | 10605       | 261                          | 2.5%    | 9877        | 219                          | 2.2%    | 10394       | 204                          | 2.0%    |

**Table 41: Workers' Compensation Cases In Which Psychological Injury Was the Sole Injury Claimed**

| Judicial District | 2001        |                   |         | 2002        |                   |         | 2003        |                   |         |
|-------------------|-------------|-------------------|---------|-------------|-------------------|---------|-------------|-------------------|---------|
|                   | Total Cases | Sole Pysch Injury | Percent | Total Cases | Sole Pysch Injury | Percent | Total Cases | Sole Pysch Injury | Percent |
| 1                 | 116         | 2                 | 1.7%    | 144         | 1                 | 0.7%    | 306         | 2                 | 0.7%    |
| 2                 | 128         |                   | 0.0%    | 96          |                   | 0.0%    | 246         |                   | 0.0%    |
| 3                 | 220         |                   | 0.0%    | 161         | 1                 | 0.6%    | 307         | 3                 | 1.0%    |
| 4                 | 150         | 4                 | 2.7%    | 145         | 2                 | 1.4%    | 247         | 1                 | 0.4%    |
| 5                 | 71          | 1                 | 1.4%    | 86          |                   | 0.0%    | 141         | 2                 | 1.4%    |
| 6                 | 681         | 3                 | 0.4%    | 547         | 8                 | 1.5%    | 754         | 3                 | 0.4%    |
| 7                 | 163         |                   | 0.0%    | 153         | 1                 | 0.7%    | 263         |                   | 0.0%    |
| 8                 | 159         | 1                 | 0.6%    | 139         |                   | 0.0%    | 198         |                   | 0.0%    |
| 9                 | 113         | 1                 | 0.9%    | 134         | 1                 | 0.7%    | 289         | 1                 | 0.3%    |
| 10                | 278         |                   | 0.0%    | 227         | 2                 | 0.9%    | 253         |                   | 0.0%    |
| 11                | 893         | 3                 | 0.3%    | 698         | 4                 | 0.6%    | 769         | 4                 | 0.5%    |
| 12                | 202         | 2                 | 1.0%    | 132         |                   | 0.0%    | 154         | 1                 | 0.6%    |
| 13                | 221         | 3                 | 1.4%    | 96          | 1                 | 1.0%    | 180         |                   | 0.0%    |
| 14                | 64          |                   | 0.0%    | 64          |                   | 0.0%    | 71          |                   | 0.0%    |
| 15                | 181         |                   | 0.0%    | 118         |                   | 0.0%    | 127         |                   | 0.0%    |
| 16                | 560         | 3                 | 0.5%    | 403         | 3                 | 0.7%    | 494         | 3                 | 0.6%    |
| 17                | 108         |                   | 0.0%    | 83          |                   | 0.0%    | 79          |                   | 0.0%    |
| 18                | 100         |                   | 0.0%    | 106         |                   | 0.0%    | 116         | 2                 | 1.7%    |
| 19                | 142         | 2                 | 1.4%    | 159         | 1                 | 0.6%    | 197         |                   | 0.0%    |
| 20                | 2050        | 16                | 0.8%    | 1687        | 16                | 0.9%    | 1435        | 4                 | 0.3%    |
| 21                | 60          |                   | 0.0%    | 50          |                   | 0.0%    | 68          |                   | 0.0%    |
| 22                | 203         | 1                 | 0.5%    | 155         | 1                 | 0.6%    | 137         |                   | 0.0%    |
| 23                | 44          | 1                 | 2.3%    | 42          |                   | 0.0%    | 72          |                   | 0.0%    |
| 24                | 204         |                   | 0.0%    | 174         |                   | 0.0%    | 251         | 3                 | 1.2%    |
| 25                | 97          | 1                 | 1.0%    | 69          |                   | 0.0%    | 178         | 2                 | 1.1%    |
| 26                | 342         | 1                 | 0.3%    | 272         | 3                 | 1.1%    | 314         | 1                 | 0.3%    |
| 27                | 170         |                   | 0.0%    | 153         | 3                 | 2.0%    | 222         |                   | 0.0%    |
| 28                | 104         |                   | 0.0%    | 83          |                   | 0.0%    | 125         |                   | 0.0%    |
| 29                | 85          | 1                 | 1.2%    | 63          |                   | 0.0%    | 87          |                   | 0.0%    |
| 30                | 807         | 13                | 1.6%    | 525         | 7                 | 1.3%    | 1036        | 7                 | 0.7%    |
| 31                | 85          | 1                 | 1.2%    | 66          |                   | 0.0%    | 61          |                   | 0.0%    |
| Not Given         | 1804        | 7                 | 0.4%    | 2847        | 23                | 0.8%    | 1021        | 2                 | 0.2%    |
| Statewide         | 10605       | 67                | 0.6%    | 9877        | 78                | 0.8%    | 10394       | 41                | 0.4%    |

## PERMANENT TOTAL DISABILITY

There are two methods of collecting data on the frequency of permanent total disability (PTD) cases. The SD-1 form allows for the case to be identified as a permanent total disability trial or settlement. The frequencies in which those fields are indicated for 2000 through 2003 cases are displayed in Table 42. For cases concluded in 2003, 85 (0.8%) are indicated as being PTD settlements and 13 (0.1%) are indicated as being PTD trials.

**Table 42: Permanent Total Disability Case Frequencies**

| Year | PTD Settlement |         | PTD Trial |         | Total |
|------|----------------|---------|-----------|---------|-------|
|      | Number         | Percent | Number    | Percent |       |
| 2000 | 171            | 1.50%   | 14        | 0.12%   | 1.62% |
| 2001 | 117            | 1.10%   | 14        | 0.13%   | 1.24% |
| 2002 | 120            | 1.21%   | 13        | 0.13%   | 1.35% |
| 2003 | 85             | 0.82%   | 13        | 0.13%   | 0.94% |

The SD-1 form also collects the amounts of different types of monetary benefits that are associated with each workers' compensation case. PTD benefits are one of the benefit types collected. Table 43 displays the number of SD-1 forms in which the reported PTD benefit amount is greater than \$0.00 for calendar year 2000 through 2003 cases. The 2003 SD-1 data indicate PTD settlement benefits being paid in 68 cases (1%). In 6 cases, PTD trial benefits are paid. In 2 cases, the SD-1 data indicate PTD benefits are paid, but no conclusion type is indicated. The percent of cases in which PTD benefits are paid has steadily decreased from 2.4% in 2000 to 0.7% in 2003.

**Table 43: Frequencies of Monetary Permanent Total Disability Benefits Paid**

| Year | PTD Settlement Benefits Paid |         | PTD Trial Benefits Paid |         | PTD Benefits Paid Conclusion Type Missing |         | Total |
|------|------------------------------|---------|-------------------------|---------|-------------------------------------------|---------|-------|
|      | Number                       | Percent | Number                  | Percent | Number                                    | Percent |       |
| 2000 | 211                          | 1.85%   | 13                      | 0.11%   | 46                                        | 0.40%   | 2.36% |
| 2001 | 151                          | 1.42%   | 10                      | 0.09%   | 32                                        | 0.30%   | 1.82% |
| 2002 | 113                          | 1.14%   | 10                      | 0.10%   | 6                                         | 0.06%   | 1.31% |
| 2003 | 68                           | 0.65%   | 6                       | 0.06%   | 2                                         | 0.02%   | 0.73% |

## DEATH CASES

The monetary amount of death benefits paid is also indicated on SD-1 forms. The frequencies of death benefits paid for 2000 through 2003 cases are presented in Table 44. Out of all the 2003 cases, the SD-1 data indicate death settlement benefits being paid in 43 (0.4%) cases. In 3 trials, death benefits are paid. From 2000 to 2003, the percent of cases where death benefits are paid has steadily decreased from 0.7% to 0.4%.

**Table 44: Frequencies of Monetary Death Benefits Paid**

| Year | Death Settlement Benefits Paid |         | Death Trial Benefits Paid |         | Death Benefits Paid Conclusion Type Missing |         | Total |
|------|--------------------------------|---------|---------------------------|---------|---------------------------------------------|---------|-------|
|      | Number                         | Percent | Number                    | Percent | Number                                      | Percent |       |
| 2000 | 57                             | 0.50%   | 5                         | 0.04%   | 13                                          | 0.11%   | 0.66% |
| 2001 | 40                             | 0.38%   | 0                         | 0.00%   | 11                                          | 0.10%   | 0.48% |
| 2002 | 35                             | 0.35%   | 1                         | 0.01%   | 2                                           | 0.02%   | 0.38% |
| 2003 | 40                             | 0.38%   | 3                         | 0.30%   | 0                                           | 0.02%   | 0.41% |

## APPEALS

After a case has been tried by a court in Tennessee, either party may appeal the court's verdict to the Tennessee Supreme Court. Pursuant to Supreme Court rules, all workers' compensation cases are referred to the Special Workers' Compensation Panel for hearing. It is mandatory for the Appeals Panel to hear the case. After the decision of the Panel has been sent to the parties, either or both of the parties can request the Supreme Court for a Full Court Review of the case. This review is discretionary with the Supreme Court. If the Supreme Court grants a Full Court Review, the case is argued before the entire Supreme Court and an opinion is issued. If a motion for a Full Court Review is not filed, the Supreme Court formally adopts the Panel's opinion. Decisions of both the Appeals Panel and the Supreme Court are published on the Supreme Court's website ([www.tsc.state.tn.us](http://www.tsc.state.tn.us)).

Table 45 contains information regarding workers' compensation appeals that was provided to the Advisory Council by the Administrative Office of the Courts.<sup>37</sup>

**Table 45: Workers' Compensation Appeals**

| Year | Number of<br>Workers'<br>Compensation<br>Appeals | Number of<br>Motions for Full<br>Court Review<br>FILED | Number of<br>Motions for Full<br>Court Review<br>GRANTED | Number of<br>Motions for Full<br>Court Review<br>DENIED |
|------|--------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------|
| 2000 | 193                                              | 60                                                     | 14                                                       | 48                                                      |
| 2001 | 178                                              | 68                                                     | 10                                                       | 59                                                      |
| 2002 | 166                                              | 55                                                     | 6                                                        | 51                                                      |
| 2003 | 154                                              | 45                                                     | 1                                                        | 39                                                      |

<sup>37</sup> The Administrative Office of the Courts publishes an annual report which contains this information for each *fiscal* year. A special thank-you goes to the AOC for providing the information for *calendar* years 2000 and 2001 so the data could be included in this report. The AOC numbers are based on actual file records accumulated rather than on notices of appeal filed. The numbers may not add up exactly because some cases are filed late in a year and are not reviewed or disposed until the next year.

Table 46 compares the number of trials reported on the Statistical Data Form with the number of appeals reported by the AOC. It is quite possible there are more workers' compensation trials conducted in Tennessee annually than the number for which a Statistical Data Form is filed, despite the clear language of both the statute and the form indicating an SD-1 form is to be filed when the order is submitted to the trial court. If so, the appeals percentage would be lower. However, at this point it is impossible to determine for certain the number of trials conducted each year.

**Table 46: Comparison of Number of Trials to Number of Appeals Filed**

| <b>Year</b> | <b>Number of Trials Reported<br/>on SD-1 Forms</b> | <b>Number of Appeals Filed<br/>with Supreme Court</b> | <b>Percent of Trial Verdicts<br/>Appealed</b> |
|-------------|----------------------------------------------------|-------------------------------------------------------|-----------------------------------------------|
| 2000        | 321                                                | 193                                                   | 60.1%                                         |
| 2001        | 247                                                | 178                                                   | 72.1%                                         |
| 2002        | 243                                                | 166                                                   | 68.3%                                         |
| 2003        | 304                                                | 154                                                   | 50.7%                                         |

## CONCLUSION

The primary intent of the statistical portion of the annual report is to give the reader a snapshot of calendar year 2003 Tennessee workers' compensation data. As this is the fourth year captured data is available from the Department of Labor and Workforce Development, recent historical data is also reported. Having four years of data helps to put each year in perspective and allows interested parties to monitor trends. From these trends the following statements can be made about the workers' compensation system in Tennessee from calendar years 2000 to 2003:

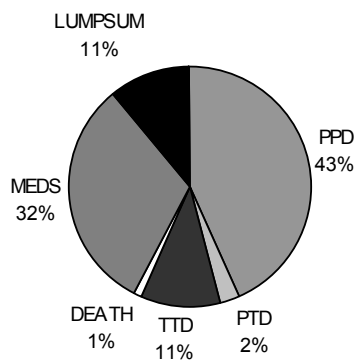
- cases are taking longer to conclude
- the average age of injured workers is slowly increasing
- the education level of injured workers was increasing then seemed to level off
- injured workers are making more money
- permanent partial impairment ratings are steadily decreasing
- mean permanent partial disability awards are increasing
- the percent of cases claiming psychological injury is decreasing
- there are fewer permanent total disability cases
- the percent of trials that are appealed is decreasing

Throughout the previous pages of this report, the numbers given have been average amounts, permitting per case comparisons. It is also important to consider what is happening with permanent disability cases in Tennessee as a whole. The following four charts indicate the percent of all medical and indemnity dollars<sup>38</sup> reported on SD-1 forms (closed case data for permanent disability claims) for each calendar year data is available.

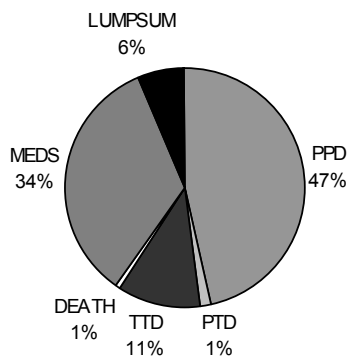
---

<sup>38</sup>It is not possible to determine the exact composition of the lump sum category. A lump sum could represent permanent partial disability, medical amounts (including money paid to close medicals) or a combination.

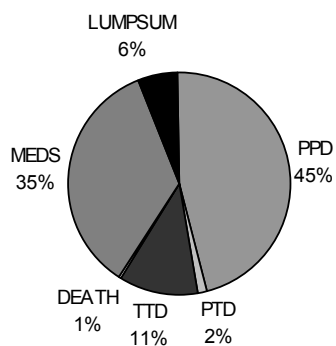
**CY2000 Percent of Workers' Compensation Dollars For Tennessee Permanent Disability Claims**



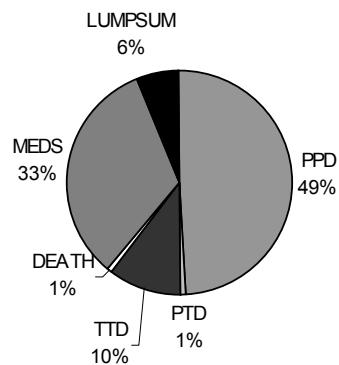
**CY2001 Percent of Workers' Compensation Dollars For Tennessee Permanent Disability Claims**



**CY2002 Percent of Workers' Compensation Dollars For Tennessee Permanent Disability Claims**



**CY2003 Percent of Workers' Compensation Dollars For Tennessee Permanent Disability Claims**



## **APPENDIX 1**

### **STATEWIDE AND JUDICIAL DISTRICT SUMMARIES OF 2000 - 2003 TENNESSEE WORKERS' COMPENSATION DATA**

The following pages summarize most of the data presented previously in this report. Also included is statewide and judicial district data for calendar years 2000 to 2002. The summaries are provided to give the reader a quick reference tool for comparing variables and viewing trends. For a list of the counties that are in each judicial district, please see the map on page 30 or Table 1 on page 33.

### Summary of Closed Case Data for All of Tennessee

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 41.6                       | 42.5                       | 44.0                       | 44.7                       |
| Number of Weeks from MMI to Conclusion    | 38.6                       | 38.9                       | 38.7                       | 41.2                       |
| Number of Weeks from Injury to Conclusion | 83.8                       | 85.4                       | 85.7                       | 90.7                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.5        | 41.6        | 41.8        | 42.9        |
| Percent of Employees with Less Than a High School Education | 20.5%       | 20.8%       | 19.0%       | 20.4%       |
| Percent of Employees a High School Education                | 59.4%       | 59.1%       | 57.2%       | 54.9%       |
| Percent of Employees with More Than a High School Education | 20.1%       | 20.2%       | 23.8%       | 24.7%       |
| Average Weekly Compensation Rate                            | \$319.10    | \$331.32    | \$342.07    | \$355.60    |
| Average Number of Weeks of TTD Benefits                     | 18.2        | 18.3        | 20.9        | 20.8        |
| Average Monetary Amount of TTD Benefits                     | \$6,116.74  | \$6,594.42  | \$6,885.68  | \$7,282.93  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$14,618.33 | \$15,680.80 | \$16,772.33 | \$17,834.84 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.4         | 9.2         | 9.5         | 9.8         |
| Average PPD Multiplier         | 2.2         | 2.2         | 2.3         | 2.2         |
| Average PPD Percentage Awarded | 18.5        | 18.9        | 19.7        | 19.8        |
| Average PPD Monetary Benefit   | \$25,174.00 | \$26,880.34 | \$29,734.24 | \$30,202.73 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 15.0        | 14.2        | 12.8        | 12.7        |
| Average PPD Multiplier         | 3.1         | 3.2         | 3.2         | 3.2         |
| Average PPD Percentage Awarded | 32.9        | 34.3        | 34.4        | 34.5        |
| Average PPD Monetary Benefit   | \$38,697.80 | \$42,772.66 | \$43,355.79 | \$47,429.34 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.1         | 9.0         | 8.2         | 7.8         |
| Average PPD Multiplier         | 2.7         | 2.8         | 2.8         | 2.9         |
| Average PPD Percentage Awarded | 20.6        | 21.1        | 19.0        | 19.1        |
| Average PPD Monetary Benefit   | \$13,175.01 | \$13,711.41 | \$12,377.47 | \$13,055.28 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.0        | 11.6        | 10.6        | 9.6         |
| Average PPD Multiplier         | 3.2         | 3.3         | 3.5         | 3.5         |
| Average PPD Percentage Awarded | 30.2        | 28.5        | 28.7        | 28.1        |
| Average PPD Monetary Benefit   | \$16,052.76 | \$16,146.31 | \$16,373.87 | \$17,199.20 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.7         | 9.3         | 8.6         | 8.9         |
| Average PPD Multiplier         | 2.7         | 2.7         | 2.7         | 2.8         |
| Average PPD Percentage Awarded | 21.9        | 21.4        | 20.7        | 21.2        |
| Average PPD Monetary Benefit   | \$15,007.87 | \$14,513.51 | \$14,732.17 | \$16,268.29 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 15.5        | 14.7        | 14.6        | 13.2        |
| Average PPD Multiplier         | 3.3         | 3.3         | 3.4         | 3.3         |
| Average PPD Percentage Awarded | 39.9        | 35.9        | 36.9        | 36.2        |
| Average PPD Monetary Benefit   | \$24,833.10 | \$21,533.12 | \$22,599.55 | \$21,980.19 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 2.4% | 2.5% | 2.3% | 2.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.6% | 0.6% | 0.8% | 0.4% |

## Summary of Closed Case Data for Judicial District 1

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 41.6                       | 42.5                       | 44.0                       | 44.7                       |
| Number of Weeks from MMI to Conclusion    | 49.5                       | 51.2                       | 50.0                       | 48.6                       |
| Number of Weeks from Injury to Conclusion | 100.9                      | 116.9                      | 98.2                       | 96.6                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.4        | 40.0        | 39.7        | 42.2        |
| Percent of Employees with Less Than a High School Education | 28.8%       | 24.2%       | 22.2%       | 28.5%       |
| Percent of Employees a High School Education                | 48.2%       | 60.0%       | 59.5%       | 47.7%       |
| Percent of Employees with More Than a High School Education | 23.0%       | 15.8%       | 18.3%       | 23.8%       |
| Average Weekly Compensation Rate                            | \$275.96    | \$251.39    | \$295.36    | \$312.60    |
| Average Number of Weeks of TTD Benefits                     | 26.1        | 22.3        | 27.1        | 23.1        |
| Average Monetary Amount of TTD Benefits                     | \$7,574.60  | \$6,437.28  | \$7,747.97  | \$7,220.60  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.7         | 6.1         | 11.0        | 12.6        |
| Average PPD Multiplier         | 2.0         | 2.5         | 2.7         | 2.1         |
| Average PPD Percentage Awarded | 18.9        | 17.8        | 28.2        | 23.0        |
| Average PPD Monetary Benefit   | \$19,679.54 | \$15,387.84 | \$47,223.20 | \$30,563.77 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 26.1        | 12.3        | 12.3        | 12.0        |
| Average PPD Multiplier         | 2.4         | 3.2         | 2.9         | 3.4         |
| Average PPD Percentage Awarded | 44.0        | 36.9        | 33.1        | 37.4        |
| Average PPD Monetary Benefit   | \$43,702.50 | \$29,233.97 | \$41,779.93 | \$45,917.30 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 6.0         | 7.1         | 13.7        | 8.0         |
| Average PPD Multiplier         | 2.9         | 7.7         | 3.0         | 3.7         |
| Average PPD Percentage Awarded | 13.8        | 43.5        | 37.1        | 21.1        |
| Average PPD Monetary Benefit   | \$11,086.20 | \$26,167.01 | \$16,366.26 | \$11,886.24 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 5.5         | 29.5        | 11.7        | 9.8         |
| Average PPD Multiplier         | 7.1         | 4.1         | 3.5         | 3.6         |
| Average PPD Percentage Awarded | 46.5        | 58.4        | 34.8        | 22.6        |
| Average PPD Monetary Benefit   | \$25,978.79 | \$29,731.78 | \$14,523.02 | \$13,536.32 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |            |             |
|--------------------------------|-------------|-------------|------------|-------------|
| Average PPI Rating             | 7.5         | 11.5        | 6.4        | 8.0         |
| Average PPD Multiplier         | 3.0         | 2.4         | 3.1        | 2.3         |
| Average PPD Percentage Awarded | 20.6        | 25.4        | 16.9       | 16.9        |
| Average PPD Monetary Benefit   | \$13,574.91 | \$14,828.82 | \$8,949.27 | \$10,722.94 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 21.6        | 15.3        | 28.5        | 13.8        |
| Average PPD Multiplier         | 3.5         | 3.0         | 3.1         | 4.1         |
| Average PPD Percentage Awarded | 49.0        | 40.1        | 85.0        | 38.4        |
| Average PPD Monetary Benefit   | \$21,810.57 | \$22,500.89 | \$21,087.00 | \$20,354.86 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 4.9% | 5.2% | 5.6% | 2.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.6% | 1.7% | 0.7% | 0.7% |

## Summary of Closed Case Data for Judicial District 2

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 69.8                       | 51.0                       | 50.6                       | 52.2                       |
| Number of Weeks from MMI to Conclusion    | 48.0                       | 46.2                       | 53.1                       | 42.8                       |
| Number of Weeks from Injury to Conclusion | 116.8                      | 114.2                      | 110.8                      | 100.0                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.9        | 42.0        | 43.0        | 42.5        |
| Percent of Employees with Less Than a High School Education | 24.2%       | 22.6%       | 24.1%       | 27.4%       |
| Percent of Employees a High School Education                | 52.3%       | 51.9%       | 46.8%       | 44.7%       |
| Percent of Employees with More Than a High School Education | 23.5%       | 25.5%       | 29.1%       | 27.9%       |
| Average Weekly Compensation Rate                            | \$287.38    | \$306.48    | \$307.82    | \$328.86    |
| Average Number of Weeks of TTD Benefits                     | 29.3        | 24.9        | 31.9        | 28.6        |
| Average Monetary Amount of TTD Benefits                     | \$8,611.84  | \$8,096.13  | \$9,377.52  | \$9,084.56  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.0         | 6.8         | 10.6        | 9.8         |
| Average PPD Multiplier         | 2.2         | 2.3         | 2.0         | 2.0         |
| Average PPD Percentage Awarded | 16.4        | 17.3        | 18.7        | 19.8        |
| Average PPD Monetary Benefit   | \$18,360.81 | \$20,812.29 | \$25,727.50 | \$27,077.93 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 20.3        | 12.7        | 15.0        | 12.7        |
| Average PPD Multiplier         | 3.5         | 3.0         | 3.2         | 3.2         |
| Average PPD Percentage Awarded | 49.7        | 35.1        | 40.8        | 37.1        |
| Average PPD Monetary Benefit   | \$61,834.50 | \$39,635.03 | \$50,440.22 | \$51,177.79 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 9.3         | 7.9        | 9.8         | 9.7         |
| Average PPD Multiplier         | 2.2         | 2.0        | 2.6         | 3.0         |
| Average PPD Percentage Awarded | 18.5        | 16.9       | 25.0        | 22.3        |
| Average PPD Monetary Benefit   | \$12,157.18 | \$9,396.12 | \$11,001.99 | \$18,983.51 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 16.0        | 20.0        | 37.0        | 16.3        |
| Average PPD Multiplier         | 3.0         | 1.2         | 1.9         | 3.7         |
| Average PPD Percentage Awarded | 48.1        | 23.0        | 46.7        | 45.8        |
| Average PPD Monetary Benefit   | \$25,019.25 | \$10,071.70 | \$29,197.41 | \$31,822.66 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |            |             |
|--------------------------------|-------------|-------------|------------|-------------|
| Average PPI Rating             | 8.9         | 8.6         | 13.1       | 7.6         |
| Average PPD Multiplier         | 2.3         | 2.2         | 1.8        | 2.3         |
| Average PPD Percentage Awarded | 23.0        | 15.9        | 17.1       | 16.9        |
| Average PPD Monetary Benefit   | \$13,020.40 | \$11,304.21 | \$9,648.63 | \$12,461.53 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 20.6        | 6.0        | 21.0        | 16.9        |
| Average PPD Multiplier         | 3.2         | 3.1        | 3.5         | 2.8         |
| Average PPD Percentage Awarded | 41.2        | 15.3       | 68.3        | 35.7        |
| Average PPD Monetary Benefit   | \$13,224.69 | \$5,796.79 | \$45,053.11 | \$18,981.45 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 5.2% | 4.7% | 7.3% | 6.5% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 2.3% | 0.0% | 0.0% | 0.0% |

### Summary of Closed Case Data for Judicial District 3

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 41.9                       | 46.4                       | 46.6                       | 44.7                       |
| Number of Weeks from MMI to Conclusion    | 43.2                       | 42.1                       | 46.5                       | 36.1                       |
| Number of Weeks from Injury to Conclusion | 91.6                       | 92.7                       | 98.0                       | 81.1                       |

#### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.7        | 41.4        | 40.0        | 42.7        |
| Percent of Employees with Less Than a High School Education | 27.5%       | 31.5%       | 22.7%       | 24.6%       |
| Percent of Employees a High School Education                | 60.5%       | 53.0%       | 57.6%       | 59.1%       |
| Percent of Employees with More Than a High School Education | 12.0%       | 15.5%       | 19.7%       | 16.3%       |
| Average Weekly Compensation Rate                            | \$279.98    | \$299.87    | \$313.90    | \$330.46    |
| Average Number of Weeks of TTD Benefits                     | 19.8        | 18.3        | 23.1        | 21.8        |
| Average Monetary Amount of TTD Benefits                     | \$5,391.46  | \$7,978.90  | \$7,524.66  | \$7,646.20  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

#### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.1        | 10.1        | 8.8         | 7.1         |
| Average PPD Multiplier         | 2.1         | 2.2         | 2.5         | 2.0         |
| Average PPD Percentage Awarded | 19.7        | 18.9        | 24.9        | 15.0        |
| Average PPD Monetary Benefit   | \$23,944.43 | \$20,747.72 | \$35,272.46 | \$21,182.97 |

#### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 30.6        | 14.6        | 11.7        | 12.8        |
| Average PPD Multiplier         | 2.3         | 3.3         | 3.3         | 3.1         |
| Average PPD Percentage Awarded | 35.5        | 40.3        | 35.2        | 32.5        |
| Average PPD Monetary Benefit   | \$34,720.63 | \$43,427.82 | \$41,191.90 | \$44,316.16 |

#### Arm Injuries Where Injured Worker was Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.9        | 10.0        | 8.4         | 8.5         |
| Average PPD Multiplier         | 2.1        | 2.5         | 2.6         | 2.5         |
| Average PPD Percentage Awarded | 17.7       | 21.4        | 18.9        | 19.1        |
| Average PPD Monetary Benefit   | \$8,902.79 | \$12,390.54 | \$12,216.81 | \$11,198.46 |

#### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 31.2        | 10.3        | 9.9         | 14.6        |
| Average PPD Multiplier         | 2.8         | 3.9         | 2.9         | 2.5         |
| Average PPD Percentage Awarded | 35.8        | 31.6        | 28.4        | 35.4        |
| Average PPD Monetary Benefit   | \$17,711.51 | \$15,342.84 | \$16,158.08 | \$27,691.22 |

#### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 19.5        | 16.0        | 8.5         | 7.2         |
| Average PPD Multiplier         | 2.5         | 2.1         | 3.2         | 3.1         |
| Average PPD Percentage Awarded | 29.2        | 28.4        | 25.9        | 19.0        |
| Average PPD Monetary Benefit   | \$19,217.05 | \$14,867.39 | \$13,735.09 | \$11,796.61 |

#### Leg Injuries Where Injured Worker was not Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 5.0        | 16.2        | 14.5        | 23.7        |
| Average PPD Multiplier         | 4.5        | 2.7         | 3.1         | 4.0         |
| Average PPD Percentage Awarded | 22.5       | 32.9        | 33.2        | 90.7        |
| Average PPD Monetary Benefit   | \$8,571.60 | \$22,197.45 | \$18,935.38 | \$41,725.29 |

#### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 4.5% | 5.5% | 7.5% | 2.6% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.2% | 0.0% | 0.6% | 1.0% |

## Summary of Closed Case Data for Judicial District 4

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 50.7                       | 45.4                       | 44.8                       | 47.9                       |
| Number of Weeks from MMI to Conclusion    | 49.2                       | 53.5                       | 62.1                       | 41.6                       |
| Number of Weeks from Injury to Conclusion | 104.1                      | 113.5                      | 107.6                      | 94.6                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.5        | 41.4        | 42.5        | 43.6        |
| Percent of Employees with Less Than a High School Education | 27.6%       | 27.3%       | 28.1%       | 19.5%       |
| Percent of Employees with a High School Education           | 60.4%       | 54.5%       | 41.2%       | 57.0%       |
| Percent of Employees with More Than a High School Education | 11.9%       | 18.2%       | 30.7%       | 23.5%       |
| Average Weekly Compensation Rate                            | \$276.62    | \$272.52    | \$294.52    | \$308.84    |
| Average Number of Weeks of TTD Benefits                     | 22.9        | 20.9        | 27.2        | 21.6        |
| Average Monetary Amount of TTD Benefits                     | \$7,872.89  | \$5,821.82  | \$6,896.10  | \$6,567.71  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 15.5        | 12.4        | 11.2        | 9.3         |
| Average PPD Multiplier         | 2.1         | 2.6         | 2.8         | 2.2         |
| Average PPD Percentage Awarded | 20.1        | 22.3        | 30.2        | 19.5        |
| Average PPD Monetary Benefit   | \$28,385.99 | \$21,900.24 | \$49,462.33 | \$23,351.71 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 20.3        | 11.2        | 11.2        | 10.0        |
| Average PPD Multiplier         | 3.1         | 3.5         | 3.6         | 3.2         |
| Average PPD Percentage Awarded | 38.6        | 38.8        | 38.9        | 31.8        |
| Average PPD Monetary Benefit   | \$42,475.53 | \$48,615.92 | \$34,835.27 | \$39,895.37 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.6         | 13.9        | 9.0         | 8.8         |
| Average PPD Multiplier         | 3.0         | 2.4         | 3.5         | 3.0         |
| Average PPD Percentage Awarded | 26.9        | 32.4        | 30.2        | 20.3        |
| Average PPD Monetary Benefit   | \$14,557.11 | \$15,732.51 | \$19,152.79 | \$14,277.60 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |            |
|--------------------------------|-------------|-------------|-------------|------------|
| Average PPI Rating             | 38.8        | 16.3        | 10.5        | 8.3        |
| Average PPD Multiplier         | 2.1         | 4.3         | 3.3         | 2.8        |
| Average PPD Percentage Awarded | 50.0        | 65.0        | 32.8        | 21.0       |
| Average PPD Monetary Benefit   | \$28,839.13 | \$36,997.40 | \$23,818.46 | \$6,283.56 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.1        | 9.6         | 10.3        | 9.2         |
| Average PPD Multiplier         | 2.8         | 3.2         | 3.3         | 3.3         |
| Average PPD Percentage Awarded | 29.4        | 28.2        | 34.7        | 25.6        |
| Average PPD Monetary Benefit   | \$18,970.57 | \$15,677.96 | \$15,116.86 | \$16,610.57 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 2.0        | 8.8         | 15.8        | 7.6         |
| Average PPD Multiplier         | 4.0        | 8.2         | 3.6         | 3.8         |
| Average PPD Percentage Awarded | 8.0        | 24.9        | 52.8        | 23.2        |
| Average PPD Monetary Benefit   | \$9,901.23 | \$10,788.95 | \$31,107.42 | \$15,473.12 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 3.7% | 3.3% | 2.1% | 2.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 2.7% | 1.4% | 0.4% |

## Summary of Closed Case Data for Judicial District 5

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 54.8                       | 56.2                       | 55.4                       | 38.9                       |
| Number of Weeks from MMI to Conclusion    | 62.1                       | 59.6                       | 69.3                       | 33.4                       |
| Number of Weeks from Injury to Conclusion | 117.1                      | 109.0                      | 129.0                      | 84.3                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 45.6        | 44.3        | 40.3        | 43.7        |
| Percent of Employees with Less Than a High School Education | 18.0%       | 8.6%        | 22.7%       | 15.4%       |
| Percent of Employees a High School Education                | 60.0%       | 58.6%       | 48.5%       | 62.5%       |
| Percent of Employees with More Than a High School Education | 22.0%       | 32.8%       | 28.8%       | 22.1%       |
| Average Weekly Compensation Rate                            | \$290.48    | \$306.16    | \$312.39    | \$353.16    |
| Average Number of Weeks of TTD Benefits                     | 24.2        | 18.2        | 26.8        | 24.0        |
| Average Monetary Amount of TTD Benefits                     | \$7,091.76  | \$5,219.35  | \$8,289.00  | \$7,934.08  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.5         | 7.0         | 10.5        | 6.5         |
| Average PPD Multiplier         | 2.5         | 2.0         | 2.8         | 2.4         |
| Average PPD Percentage Awarded | 19.1        | 12.5        | 32.1        | 17.5        |
| Average PPD Monetary Benefit   | \$24,038.64 | \$15,680.87 | \$41,571.08 | \$22,258.52 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 22.6        | 16.3        | 9.7         | 10.9        |
| Average PPD Multiplier         | 3.2         | 3.1         | 3.4         | 3.1         |
| Average PPD Percentage Awarded | 40.4        | 40.3        | 29.0        | 31.6        |
| Average PPD Monetary Benefit   | \$40,251.23 | \$46,832.78 | \$38,952.64 | \$37,470.91 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.4         | 8.0         | 10.6        | 6.6         |
| Average PPD Multiplier         | 4.0         | 2.7         | 3.4         | 2.3         |
| Average PPD Percentage Awarded | 21.9        | 23.0        | 33.2        | 14.4        |
| Average PPD Monetary Benefit   | \$11,158.18 | \$16,465.67 | \$13,046.92 | \$10,953.18 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             |             | 27.0        | 17.5        |             |
| Average PPD Multiplier         |             | 3.0         | 4.6         |             |
| Average PPD Percentage Awarded |             | 58.0        | 32.0        |             |
| Average PPD Monetary Benefit   | \$26,000.00 | \$21,390.00 | \$19,523.14 | \$10,149.82 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 17.8        | 5.7         | 7.7         | 8.3         |
| Average PPD Multiplier         | 3.0         | 3.6         | 2.5         | 2.4         |
| Average PPD Percentage Awarded | 39.7        | 18.1        | 20.1        | 19.9        |
| Average PPD Monetary Benefit   | \$23,705.99 | \$12,356.44 | \$21,336.12 | \$16,658.32 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 22.7        | 18.8        | 13.5        | 11.6        |
| Average PPD Multiplier         | 5.2         | 3.0         | 6.4         | 2.9         |
| Average PPD Percentage Awarded | 84.2        | 55.0        | 41.3        | 31.1        |
| Average PPD Monetary Benefit   | \$66,486.67 | \$26,897.31 | \$13,375.26 | \$24,090.25 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 3.9% | 8.5% | 1.2% | 0.7% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.3% | 1.4% | 0.0% | 1.4% |

## Summary of Closed Case Data for Judicial District 6

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 40.6                       | 46.3                       | 45.2                       | 41.8                       |
| Number of Weeks from MMI to Conclusion    | 32.4                       | 37.5                       | 38.6                       | 36.0                       |
| Number of Weeks from Injury to Conclusion | 75.6                       | 87.4                       | 91.0                       | 82.8                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.3        | 41.3        | 42.7        | 42.5        |
| Percent of Employees with Less Than a High School Education | 19.2%       | 19.3%       | 16.7%       | 14.3%       |
| Percent of Employees a High School Education                | 54.5%       | 56.8%       | 59.9%       | 52.6%       |
| Percent of Employees with More Than a High School Education | 26.3%       | 23.9%       | 23.4%       | 33.1%       |
| Average Weekly Compensation Rate                            | \$307.26    | \$319.81    | \$323.32    | \$363.27    |
| Average Number of Weeks of TTD Benefits                     | 17.9        | 20.6        | 21.8        | 21.3        |
| Average Monetary Amount of TTD Benefits                     | \$5,580.59  | \$6,877.71  | \$6,666.13  | \$7,452.24  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.5         | 7.6         | 10.6        | 9.2         |
| Average PPD Multiplier         | 2.4         | 2.3         | 2.3         | 2.2         |
| Average PPD Percentage Awarded | 18.3        | 17.6        | 23.0        | 17.8        |
| Average PPD Monetary Benefit   | \$23,384.65 | \$23,227.10 | \$34,131.13 | \$26,606.98 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.3        | 14.7        | 11.7        | 15.0        |
| Average PPD Multiplier         | 3.2         | 3.3         | 3.4         | 3.1         |
| Average PPD Percentage Awarded | 30.1        | 39.3        | 32.6        | 32.7        |
| Average PPD Monetary Benefit   | \$35,848.48 | \$51,753.75 | \$36,646.66 | \$40,483.44 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.0         | 6.3         | 8.7         | 6.3         |
| Average PPD Multiplier         | 2.6         | 3.0         | 3.1         | 2.9         |
| Average PPD Percentage Awarded | 18.8        | 15.7        | 19.2        | 17.6        |
| Average PPD Monetary Benefit   | \$11,823.47 | \$10,648.90 | \$11,812.73 | \$11,710.03 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.5        | 10.9        | 8.8         | 5.9         |
| Average PPD Multiplier         | 3.4         | 4.0         | 3.4         | 3.2         |
| Average PPD Percentage Awarded | 31.2        | 28.4        | 28.2        | 22.4        |
| Average PPD Monetary Benefit   | \$17,256.29 | \$14,729.61 | \$15,205.39 | \$24,036.24 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.3         | 8.2         | 8.8         | 7.4         |
| Average PPD Multiplier         | 2.7         | 2.6         | 3.6         | 2.9         |
| Average PPD Percentage Awarded | 19.2        | 20.6        | 23.5        | 19.5        |
| Average PPD Monetary Benefit   | \$11,902.13 | \$13,589.06 | \$15,990.05 | \$14,684.40 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 15.6        | 12.8        | 12.6        | 12.5        |
| Average PPD Multiplier         | 2.6         | 3.3         | 3.9         | 3.2         |
| Average PPD Percentage Awarded | 33.8        | 34.2        | 34.2        | 35.4        |
| Average PPD Monetary Benefit   | \$22,863.26 | \$18,627.01 | \$20,008.04 | \$21,872.56 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 2.1% | 2.6% | 2.4% | 2.3% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.6% | 0.4% | 1.5% | 0.4% |

## Summary of Closed Case Data for Judicial District 7

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 49.6                       | 56.6                       | 50.5                       | 51.0                       |
| Number of Weeks from MMI to Conclusion    | 49.4                       | 57.5                       | 50.1                       | 50.0                       |
| Number of Weeks from Injury to Conclusion | 96.1                       | 121.0                      | 108.2                      | 130.1                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.7        | 42.1        | 42.3        | 47.0        |
| Percent of Employees with Less Than a High School Education | 11.2%       | 15.5%       | 12.4%       | 9.3%        |
| Percent of Employees a High School Education                | 73.2%       | 57.4%       | 62.0%       | 73.0%       |
| Percent of Employees with More Than a High School Education | 15.6%       | 27.1%       | 25.6%       | 17.7%       |
| Average Weekly Compensation Rate                            | \$361.51    | \$349.63    | \$365.88    | \$409.38    |
| Average Number of Weeks of TTD Benefits                     | 17.8        | 18.8        | 18.8        | 20.0        |
| Average Monetary Amount of TTD Benefits                     | \$6,414.51  | \$7,526.65  | \$6,543.21  | \$7,930.70  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.1         | 11.8        | 13.7        | 10.8        |
| Average PPD Multiplier         | 2.5         | 2.6         | 2.2         | 2.3         |
| Average PPD Percentage Awarded | 21.6        | 23.5        | 30.2        | 18.5        |
| Average PPD Monetary Benefit   | \$33,870.33 | \$35,368.01 | \$42,586.51 | \$33,652.04 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 15.6        | 20.2        | 8.3         | 12.6        |
| Average PPD Multiplier         | 3.4         | 4.0         | 3.4         | 3.0         |
| Average PPD Percentage Awarded | 30.2        | 38.4        | 34.7        | 33.8        |
| Average PPD Monetary Benefit   | \$36,152.58 | \$50,678.50 | \$40,534.95 | \$51,517.12 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.0         | 9.6         | 10.3        | 6.3         |
| Average PPD Multiplier         | 3.1         | 5.0         | 4.5         | 2.8         |
| Average PPD Percentage Awarded | 25.6        | 35.2        | 28.5        | 16.2        |
| Average PPD Monetary Benefit   | \$20,554.45 | \$24,346.81 | \$19,683.83 | \$12,779.50 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |            |
|--------------------------------|-------------|-------------|-------------|------------|
| Average PPI Rating             | 11.5        | 7.5         | 5.0         | 10.7       |
| Average PPD Multiplier         | 3.4         | 4.4         | 6.5         | 3.9        |
| Average PPD Percentage Awarded | 24.5        | 25.8        | 32.5        | 25.4       |
| Average PPD Monetary Benefit   | \$16,219.35 | \$16,885.56 | \$15,578.80 | \$6,884.73 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.9        | 8.6         | 10.5        | 9.0         |
| Average PPD Multiplier         | 2.6         | 3.4         | 4.0         | 3.5         |
| Average PPD Percentage Awarded | 27.4        | 26.1        | 33.7        | 26.1        |
| Average PPD Monetary Benefit   | \$22,813.04 | \$20,802.21 | \$26,209.76 | \$19,468.79 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 36.4        |            | 8.3         | 9.6         |
| Average PPD Multiplier         | 2.6         |            | 5.2         | 3.3         |
| Average PPD Percentage Awarded | 62.3        | 6.8        | 32.5        | 31.6        |
| Average PPD Monetary Benefit   | \$49,138.51 | \$1,994.71 | \$25,537.45 | \$24,561.41 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 4.8% | 6.1% | 2.0% | 1.9% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.5% | 0.0% | 0.7% | 0.0% |

## Summary of Closed Case Data for Judicial District 8

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 49.4                       | 49.8                       | 50.5                       | 48.2                       |
| Number of Weeks from MMI to Conclusion    | 51.6                       | 55.8                       | 55.3                       | 49.4                       |
| Number of Weeks from Injury to Conclusion | 115.8                      | 114.2                      | 112.1                      | 103.8                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 38.4        | 39.5        | 40.4        | 42.5        |
| Percent of Employees with Less Than a High School Education | 37.1%       | 36.3%       | 30.6%       | 30.6%       |
| Percent of Employees a High School Education                | 49.5%       | 50.8%       | 55.6%       | 50.6%       |
| Percent of Employees with More Than a High School Education | 13.3%       | 12.9%       | 13.9%       | 18.8%       |
| Average Weekly Compensation Rate                            | \$271.76    | \$273.79    | \$275.94    | \$316.26    |
| Average Number of Weeks of TTD Benefits                     | 26.1        | 20.7        | 31.2        | 22.7        |
| Average Monetary Amount of TTD Benefits                     | \$8,799.70  | \$6,108.90  | \$7,745.52  | \$7,457.69  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$18,175.19 | \$17,196.14 | \$19,249.85 | \$15,958.02 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.2        | 16.4        | 9.8         | 14.0        |
| Average PPD Multiplier         | 2.4         | 2.5         | 3.3         | 2.6         |
| Average PPD Percentage Awarded | 23.2        | 30.8        | 26.5        | 27.3        |
| Average PPD Monetary Benefit   | \$35,689.39 | \$41,204.42 | \$32,491.54 | \$41,349.79 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 23.7        | 41.8        | 16.2        | 12.6        |
| Average PPD Multiplier         | 3.3         | 2.5         | 3.7         | 3.0         |
| Average PPD Percentage Awarded | 47.6        | 43.0        | 49.2        | 34.3        |
| Average PPD Monetary Benefit   | \$54,319.36 | \$43,214.48 | \$47,400.60 | \$39,582.79 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.6        | 12.0        | 10.9        | 6.0         |
| Average PPD Multiplier         | 3.7         | 4.1         | 4.2         | 4.2         |
| Average PPD Percentage Awarded | 33.8        | 33.9        | 30.3        | 18.3        |
| Average PPD Monetary Benefit   | \$16,746.19 | \$17,246.15 | \$16,184.45 | \$11,580.00 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 5.0         | 10.0        | 14.8        | 7.3         |
| Average PPD Multiplier         | 6.7         | 4.3         | 4.1         | 4.2         |
| Average PPD Percentage Awarded | 33.6        | 42.7        | 46.1        | 28.1        |
| Average PPD Monetary Benefit   | \$21,504.00 | \$17,003.96 | \$25,583.30 | \$22,777.11 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.8        | 12.4        | 20.1        | 9.4         |
| Average PPD Multiplier         | 4.1         | 2.8         | 5.2         | 3.3         |
| Average PPD Percentage Awarded | 38.5        | 29.9        | 52.9        | 31.8        |
| Average PPD Monetary Benefit   | \$20,056.31 | \$20,899.14 | \$44,202.46 | \$22,569.30 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.7         | 21.7        | 18.4        | 7.5         |
| Average PPD Multiplier         | 5.4         | 2.7         | 4.3         | 5.8         |
| Average PPD Percentage Awarded | 38.0        | 52.5        | 51.0        | 40.6        |
| Average PPD Monetary Benefit   | \$19,138.47 | \$21,891.29 | \$23,572.34 | \$23,455.42 |

### Psychological Injuries

|                                                                |       |       |      |      |
|----------------------------------------------------------------|-------|-------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 13.2% | 13.8% | 7.9% | 3.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.5%  | 0.6%  | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 9

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 51.4                       | 57.3                       | 74.9                       | 51.8                       |
| Number of Weeks from MMI to Conclusion    | 52.5                       | 53.3                       | 47.0                       | 44.0                       |
| Number of Weeks from Injury to Conclusion | 100.8                      | 115.4                      | 115.7                      | 138.9                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.5        | 44.4        | 44.5        | 48.6        |
| Percent of Employees with Less Than a High School Education | 16.5%       | 20.2%       | 18.9%       | 19.4%       |
| Percent of Employees a High School Education                | 62.9%       | 62.6%       | 55.8%       | 57.3%       |
| Percent of Employees with More Than a High School Education | 20.6%       | 17.2%       | 25.3%       | 23.3%       |
| Average Weekly Compensation Rate                            | \$325.15    | \$327.17    | \$358.14    | \$371.51    |
| Average Number of Weeks of TTD Benefits                     | 25.0        | 28.8        | 28.7        | 23.2        |
| Average Monetary Amount of TTD Benefits                     | \$8,945.76  | \$11,553.35 | \$9,566.08  | \$8,515.07  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$16,572.07 | \$23,806.03 | \$19,072.90 | \$15,515.53 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.6        | 10.4        | 10.9        | 9.2         |
| Average PPD Multiplier         | 2.3         | 2.4         | 2.9         | 2.3         |
| Average PPD Percentage Awarded | 24.2        | 27.4        | 24.9        | 20.9        |
| Average PPD Monetary Benefit   | \$34,282.86 | \$39,205.58 | \$34,371.25 | \$37,177.95 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.5        | 20.2        | 15.4        | 14.9        |
| Average PPD Multiplier         | 4.1         | 2.9         | 3.9         | 3.2         |
| Average PPD Percentage Awarded | 33.1        | 39.3        | 45.7        | 40.4        |
| Average PPD Monetary Benefit   | \$39,310.34 | \$64,798.31 | \$64,539.81 | \$57,369.61 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.3         | 7.3         | 6.3         | 6.8         |
| Average PPD Multiplier         | 3.2         | 3.5         | 5.0         | 3.4         |
| Average PPD Percentage Awarded | 23.6        | 23.4        | 19.6        | 20.3        |
| Average PPD Monetary Benefit   | \$14,551.85 | \$20,862.15 | \$11,331.20 | \$14,039.79 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.9        | 7.5         | 9.5         | 7.5         |
| Average PPD Multiplier         | 3.9         | 7.0         | 3.8         | 5.3         |
| Average PPD Percentage Awarded | 45.6        | 48.3        | 35.5        | 35.7        |
| Average PPD Monetary Benefit   | \$17,278.09 | \$16,525.62 | \$25,513.66 | \$23,673.02 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 6.4         | 14.3        | 15.4        | 10.2        |
| Average PPD Multiplier         | 3.7         | 3.7         | 3.0         | 3.2         |
| Average PPD Percentage Awarded | 20.0        | 31.7        | 38.3        | 26.9        |
| Average PPD Monetary Benefit   | \$14,009.32 | \$18,996.38 | \$23,230.84 | \$22,973.93 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 18.8        | 13.3        | 12.3        | 15.7        |
| Average PPD Multiplier         | 3.8         | 3.5         | 3.9         | 4.1         |
| Average PPD Percentage Awarded | 62.3        | 42.9        | 36.4        | 40.0        |
| Average PPD Monetary Benefit   | \$58,211.26 | \$28,301.17 | \$22,008.13 | \$22,878.01 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.7% | 4.4% | 9.7% | 2.1% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.9% | 0.9% | 0.7% | 0.3% |

## Summary of Closed Case Data for Judicial District 10

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 50.2                       | 56.9                       | 59.4                       | 55.8                       |
| Number of Weeks from MMI to Conclusion    | 47.1                       | 46.6                       | 42.6                       | 51.5                       |
| Number of Weeks from Injury to Conclusion | 107.5                      | 105.0                      | 106.5                      | 115.4                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.3        | 43.3        | 42.0        | 42.1        |
| Percent of Employees with Less Than a High School Education | 30.3%       | 26.8%       | 28.2%       | 22.8%       |
| Percent of Employees a High School Education                | 54.1%       | 52.1%       | 56.5%       | 56.9%       |
| Percent of Employees with More Than a High School Education | 15.6%       | 21.1%       | 15.3%       | 20.3%       |
| Average Weekly Compensation Rate                            | \$286.72    | \$300.93    | \$314.57    | \$317.43    |
| Average Number of Weeks of TTD Benefits                     | 23.5        | 24.1        | 30.8        | 26.7        |
| Average Monetary Amount of TTD Benefits                     | \$8,036.35  | \$8,759.18  | \$9,825.97  | \$8,039.98  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$16,743.56 | \$24,325.58 | \$20,780.73 | \$20,534.13 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.8        | 12.9        | 10.6        | 11.5        |
| Average PPD Multiplier         | 2.1         | 2.4         | 2.2         | 2.2         |
| Average PPD Percentage Awarded | 19.9        | 24.2        | 21.7        | 20.4        |
| Average PPD Monetary Benefit   | \$24,516.58 | \$32,458.65 | \$29,188.54 | \$26,230.97 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 17.8        | 21.1        | 18.3        | 12.4        |
| Average PPD Multiplier         | 3.3         | 2.7         | 3.2         | 3.3         |
| Average PPD Percentage Awarded | 36.3        | 39.2        | 43.4        | 36.4        |
| Average PPD Monetary Benefit   | \$35,449.75 | \$49,434.70 | \$49,677.44 | \$43,095.04 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.7         | 10.7        | 9.7         | 7.3         |
| Average PPD Multiplier         | 2.6         | 2.9         | 2.6         | 2.8         |
| Average PPD Percentage Awarded | 24.8        | 23.7        | 23.7        | 18.1        |
| Average PPD Monetary Benefit   | \$14,009.42 | \$15,079.34 | \$18,474.66 | \$10,674.08 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 21.5        | 25.3        | 16.8        | 4.5         |
| Average PPD Multiplier         | 2.8         | 4.8         | 3.3         | 5.7         |
| Average PPD Percentage Awarded | 31.0        | 24.6        | 41.0        | 19.9        |
| Average PPD Monetary Benefit   | \$14,723.65 | \$13,470.98 | \$21,262.34 | \$18,598.41 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.3        | 12.1        | 14.8        | 10.4        |
| Average PPD Multiplier         | 2.7         | 2.3         | 2.7         | 3.0         |
| Average PPD Percentage Awarded | 19.4        | 26.7        | 36.2        | 28.0        |
| Average PPD Monetary Benefit   | \$12,439.17 | \$16,732.77 | \$19,907.56 | \$18,408.23 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 20.7        | 25.3        | 21.4        | 11.3        |
| Average PPD Multiplier         | 3.7         | 3.9         | 3.1         | 2.6         |
| Average PPD Percentage Awarded | 55.8        | 48.7        | 55.0        | 23.8        |
| Average PPD Monetary Benefit   | \$37,378.26 | \$38,002.15 | \$30,523.80 | \$11,043.08 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 3.9% | 5.0% | 4.4% | 3.2% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.5% | 0.0% | 0.9% | 0.0% |

## Summary of Closed Case Data for Judicial District 11

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 48.2                       | 49.2                       | 51.3                       | 49.6                       |
| Number of Weeks from MMI to Conclusion    | 36.1                       | 33.4                       | 36.5                       | 38.2                       |
| Number of Weeks from Injury to Conclusion | 89.2                       | 85.7                       | 93.0                       | 92.9                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.7        | 41.7        | 42.3        | 42.8        |
| Percent of Employees with Less Than a High School Education | 19.4%       | 24.4%       | 21.7%       | 23.8%       |
| Percent of Employees a High School Education                | 62.4%       | 55.5%       | 51.7%       | 47.2%       |
| Percent of Employees with More Than a High School Education | 18.2%       | 20.2%       | 26.6%       | 29.0%       |
| Average Weekly Compensation Rate                            | \$322.74    | \$328.04    | \$330.12    | \$346.94    |
| Average Number of Weeks of TTD Benefits                     | 20.8        | 21.5        | 26.9        | 28.8        |
| Average Monetary Amount of TTD Benefits                     | \$7,630.95  | \$8,001.86  | \$8,768.24  | \$10,186.92 |
| Average Monetary Amount of Medical Benefits/Expenses        | \$15,506.15 | \$18,923.41 | \$18,478.15 | \$24,610.09 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.7         | 9.0         | 8.7         | 10.5        |
| Average PPD Multiplier         | 2.4         | 2.4         | 2.3         | 2.3         |
| Average PPD Percentage Awarded | 19.7        | 20.5        | 18.2        | 21.4        |
| Average PPD Monetary Benefit   | \$28,273.42 | \$28,728.45 | \$26,045.60 | \$29,312.27 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.0        | 11.9        | 11.3        | 12.7        |
| Average PPD Multiplier         | 3.2         | 3.2         | 3.4         | 3.3         |
| Average PPD Percentage Awarded | 31.3        | 30.2        | 34.9        | 35.4        |
| Average PPD Monetary Benefit   | \$41,323.98 | \$38,450.89 | \$45,441.53 | \$50,910.31 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.1         | 7.6         | 9.2         | 6.6         |
| Average PPD Multiplier         | 2.6         | 2.6         | 3.0         | 2.6         |
| Average PPD Percentage Awarded | 17.6        | 18.2        | 22.5        | 16.6        |
| Average PPD Monetary Benefit   | \$12,100.81 | \$11,489.51 | \$13,544.50 | \$12,178.90 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.0        | 9.2         | 8.8         | 9.6         |
| Average PPD Multiplier         | 3.6         | 3.5         | 4.1         | 3.5         |
| Average PPD Percentage Awarded | 31.0        | 25.8        | 29.0        | 26.8        |
| Average PPD Monetary Benefit   | \$18,858.45 | \$17,032.96 | \$15,027.65 | \$13,072.38 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.7        | 11.4        | 7.7         | 7.5         |
| Average PPD Multiplier         | 2.3         | 2.4         | 2.9         | 2.4         |
| Average PPD Percentage Awarded | 24.9        | 24.7        | 19.3        | 18.6        |
| Average PPD Monetary Benefit   | \$15,758.93 | \$15,911.83 | \$12,393.89 | \$14,470.32 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 18.6        | 16.7        | 14.2        | 14.8        |
| Average PPD Multiplier         | 3.1         | 2.6         | 3.4         | 2.7         |
| Average PPD Percentage Awarded | 45.5        | 35.3        | 39.4        | 33.0        |
| Average PPD Monetary Benefit   | \$25,262.66 | \$21,990.04 | \$22,141.88 | \$22,931.65 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.9% | 2.6% | 2.4% | 2.5% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.4% | 0.3% | 0.6% | 0.5% |

## Summary of Closed Case Data for Judicial District 12

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 50.7                       | 43.3                       | 49.7                       | 53.2                       |
| Number of Weeks from MMI to Conclusion    | 51.1                       | 65.1                       | 52.4                       | 42.6                       |
| Number of Weeks from Injury to Conclusion | 109.2                      | 114.3                      | 106.8                      | 110.6                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.8        | 41.3        | 40.8        | 40.9        |
| Percent of Employees with Less Than a High School Education | 28.1%       | 28.6%       | 21.8%       | 32.8%       |
| Percent of Employees a High School Education                | 58.1%       | 57.1%       | 60.4%       | 52.5%       |
| Percent of Employees with More Than a High School Education | 13.8%       | 14.3%       | 17.8%       | 14.8%       |
| Average Weekly Compensation Rate                            | \$284.91    | \$302.97    | \$301.34    | \$319.57    |
| Average Number of Weeks of TTD Benefits                     | 25.8        | 21.5        | 31.0        | 24.4        |
| Average Monetary Amount of TTD Benefits                     | \$8,876.85  | \$7,457.77  | \$9,193.80  | \$8,124.62  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$15,958.74 | \$16,509.01 | \$18,444.65 | \$19,981.58 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.3        | 13.7        | 8.4         | 13.5        |
| Average PPD Multiplier         | 2.6         | 2.5         | 2.7         | 2.4         |
| Average PPD Percentage Awarded | 25.5        | 30.0        | 24.0        | 29.1        |
| Average PPD Monetary Benefit   | \$31,869.70 | \$41,521.63 | \$31,845.02 | \$39,275.21 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 16.3        | 9.1         | 16.5        | 12.5        |
| Average PPD Multiplier         | 4.0         | 4.1         | 4.9         | 4.2         |
| Average PPD Percentage Awarded | 40.0        | 38.1        | 63.0        | 46.3        |
| Average PPD Monetary Benefit   | \$48,979.84 | \$40,000.02 | \$86,281.72 | \$67,145.08 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.4         | 10.2        | 7.5         | 6.0         |
| Average PPD Multiplier         | 4.0         | 4.4         | 4.3         | 2.8         |
| Average PPD Percentage Awarded | 29.4        | 31.0        | 23.8        | 17.4        |
| Average PPD Monetary Benefit   | \$17,472.20 | \$16,983.50 | \$10,377.03 | \$12,085.52 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.7         | 13.5        | 11.6        | 7.3         |
| Average PPD Multiplier         | 3.6         | 3.0         | 4.2         | 3.6         |
| Average PPD Percentage Awarded | 25.8        | 38.7        | 32.4        | 33.6        |
| Average PPD Monetary Benefit   | \$12,932.21 | \$23,133.94 | \$17,475.12 | \$14,249.20 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 9.9         | 8.9        | 13.8        | 11.1        |
| Average PPD Multiplier         | 3.2         | 3.4        | 3.1         | 2.8         |
| Average PPD Percentage Awarded | 24.1        | 20.6       | 32.6        | 26.7        |
| Average PPD Monetary Benefit   | \$14,618.81 | \$8,798.77 | \$24,846.52 | \$16,910.54 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 18.5        | 23.6        | 9.0         | 19.7        |
| Average PPD Multiplier         | 2.6         | 6.5         | 4.0         | 3.1         |
| Average PPD Percentage Awarded | 47.5        | 53.5        | 33.3        | 48.1        |
| Average PPD Monetary Benefit   | \$25,398.18 | \$25,547.49 | \$25,821.67 | \$29,322.83 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 0.6% | 5.0% | 2.3% | 1.9% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.0% | 1.0% | 0.0% | 0.6% |

## Summary of Closed Case Data for Judicial District 13

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 48.5                       | 44.7                       | 52.2                       | 53.0                       |
| Number of Weeks from MMI to Conclusion    | 43.2                       | 45.6                       | 47.2                       | 48.7                       |
| Number of Weeks from Injury to Conclusion | 93.4                       | 103.0                      | 99.4                       | 100.3                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.1        | 41.9        | 42.4        | 42.8        |
| Percent of Employees with Less Than a High School Education | 30.7%       | 29.5%       | 22.5%       | 25.4%       |
| Percent of Employees a High School Education                | 53.6%       | 58.4%       | 56.3%       | 51.4%       |
| Percent of Employees with More Than a High School Education | 15.7%       | 12.1%       | 21.1%       | 23.2%       |
| Average Weekly Compensation Rate                            | \$269.92    | \$291.53    | \$290.80    | \$326.57    |
| Average Number of Weeks of TTD Benefits                     | 23.0        | 18.3        | 34.5        | 17.9        |
| Average Monetary Amount of TTD Benefits                     | \$6,290.06  | \$6,359.20  | \$10,852.79 | \$6,151.85  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$14,525.10 | \$17,900.85 | \$20,573.35 | \$16,214.40 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.5         | 9.2         | 10.9        | 9.6         |
| Average PPD Multiplier         | 2.4         | 2.4         | 2.6         | 2.4         |
| Average PPD Percentage Awarded | 20.7        | 21.0        | 26.8        | 22.2        |
| Average PPD Monetary Benefit   | \$22,192.77 | \$26,138.52 | \$33,323.08 | \$30,916.58 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.5         | 9.2         | 10.9        | 9.6         |
| Average PPD Multiplier         | 3.4         | 3.4         | 3.1         | 3.6         |
| Average PPD Percentage Awarded | 45.4        | 43.8        | 48.3        | 33.8        |
| Average PPD Monetary Benefit   | \$36,003.57 | \$52,307.92 | \$63,837.15 | \$47,076.08 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.0        | 9.3         | 11.7        | 10.7        |
| Average PPD Multiplier         | 3.3         | 3.4         | 2.9         | 3.6         |
| Average PPD Percentage Awarded | 31.9        | 28.7        | 31.6        | 32.0        |
| Average PPD Monetary Benefit   | \$17,600.30 | \$17,036.82 | \$17,203.65 | \$17,859.55 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.6        | 11.9        | 10.3        | 7.5         |
| Average PPD Multiplier         | 3.7         | 4.7         | 4.5         | 4.7         |
| Average PPD Percentage Awarded | 34.2        | 44.0        | 39.7        | 30.3        |
| Average PPD Monetary Benefit   | \$11,145.27 | \$25,965.01 | \$20,140.54 | \$19,077.57 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.3         | 9.5         | 22.5        | 10.8        |
| Average PPD Multiplier         | 3.3         | 3.0         | 2.8         | 3.1         |
| Average PPD Percentage Awarded | 26.9        | 23.2        | 48.3        | 28.7        |
| Average PPD Monetary Benefit   | \$20,683.85 | \$11,447.90 | \$25,120.66 | \$21,023.10 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |      |             |             |            |
|--------------------------------|------|-------------|-------------|------------|
| Average PPI Rating             | 10.0 | 14.0        | 39.0        | 5.0        |
| Average PPD Multiplier         | 1.0  | 3.6         | 2.6         | 4.9        |
| Average PPD Percentage Awarded | 10.0 | 50.1        | 78.3        | 24.5       |
| Average PPD Monetary Benefit   |      | \$15,230.39 | \$55,525.43 | \$8,126.74 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 0.5% | 1.4% | 2.1% | 1.7% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 1.4% | 1.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 14

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 36.1                       | 50.4                       | 42.5                       | 40.4                       |
| Number of Weeks from MMI to Conclusion    | 41.3                       | 47.4                       | 55.0                       | 46.4                       |
| Number of Weeks from Injury to Conclusion | 90.0                       | 108.2                      | 103.4                      | 93.0                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.6        | 45.5        | 42.1        | 44.8        |
| Percent of Employees with Less Than a High School Education | 33.3%       | 30.2%       | 23.8%       | 21.8%       |
| Percent of Employees a High School Education                | 50.0%       | 50.9%       | 57.1%       | 61.8%       |
| Percent of Employees with More Than a High School Education | 16.7%       | 18.9%       | 19.0%       | 16.4%       |
| Average Weekly Compensation Rate                            | \$294.81    | \$311.12    | \$322.21    | \$354.57    |
| Average Number of Weeks of TTD Benefits                     | 19.3        | 22.1        | 18.5        | 17.6        |
| Average Monetary Amount of TTD Benefits                     | \$5,231.36  | \$5,874.39  | \$5,491.82  | \$5,884.09  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$11,871.74 | \$24,817.09 | \$14,271.85 | \$19,748.21 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.1        | 9.9         | 8.5         | 10.7        |
| Average PPD Multiplier         | 2.1         | 2.3         | 2.6         | 2.5         |
| Average PPD Percentage Awarded | 19.0        | 18.4        | 21.3        | 23.6        |
| Average PPD Monetary Benefit   | \$27,322.31 | \$22,388.55 | \$25,281.89 | \$37,261.61 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.2         | 9.3         | 10.0        | 9.9         |
| Average PPD Multiplier         | 3.9         | 6.1         | 3.2         | 3.1         |
| Average PPD Percentage Awarded | 24.3        | 39.1        | 28.0        | 29.2        |
| Average PPD Monetary Benefit   | \$28,706.32 | \$36,400.25 | \$28,524.82 | \$37,190.21 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 4.8        | 7.5         | 7.5         | 9.6         |
| Average PPD Multiplier         | 3.3        | 3.8         | 2.1         | 2.9         |
| Average PPD Percentage Awarded | 15.4       | 29.7        | 15.6        | 25.5        |
| Average PPD Monetary Benefit   | \$8,541.67 | \$13,020.14 | \$15,186.45 | \$21,057.76 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |            |            |             |            |
|--------------------------------|------------|------------|-------------|------------|
| Average PPI Rating             | 8.7        | 6.3        | 10.0        | 3.0        |
| Average PPD Multiplier         | 3.0        | 2.6        | 3.0         | 5.3        |
| Average PPD Percentage Awarded | 25.3       | 14.4       | 30.0        | 16.0       |
| Average PPD Monetary Benefit   | \$9,568.23 | \$5,933.74 | \$18,854.40 | \$4,803.20 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 6.7        | 12.4        | 13.0        | 9.4         |
| Average PPD Multiplier         | 2.8        | 2.2         | 3.3         | 2.7         |
| Average PPD Percentage Awarded | 18.3       | 28.0        | 38.3        | 23.4        |
| Average PPD Monetary Benefit   | \$9,111.04 | \$17,815.94 | \$24,561.20 | \$17,426.40 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |  |            |             |             |
|--------------------------------|--|------------|-------------|-------------|
| Average PPI Rating             |  | 2.0        | 75.0        | 14.7        |
| Average PPD Multiplier         |  | 5.0        | 1.3         | 3.3         |
| Average PPD Percentage Awarded |  | 10.0       | 100.0       | 40.3        |
| Average PPD Monetary Benefit   |  | \$4,098.60 | \$19,230.00 | \$24,061.97 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 0.0% | 1.6% | 1.6% | 0.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.4% | 0.0% | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 15

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 46.4                       | 45.3                       | 45.4                       | 41.0                       |
| Number of Weeks from MMI to Conclusion    | 47.6                       | 49.9                       | 52.2                       | 44.7                       |
| Number of Weeks from Injury to Conclusion | 99.8                       | 99.2                       | 96.1                       | 89.1                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.8        | 41.0        | 41.3        | 41.2        |
| Percent of Employees with Less Than a High School Education | 32.8%       | 29.2%       | 20.2%       | 28.9%       |
| Percent of Employees a High School Education                | 55.2%       | 56.2%       | 56.6%       | 54.6%       |
| Percent of Employees with More Than a High School Education | 11.9%       | 14.6%       | 23.2%       | 16.5%       |
| Average Weekly Compensation Rate                            | \$309.71    | \$322.87    | \$361.15    | \$356.74    |
| Average Number of Weeks of TTD Benefits                     | 18.9        | 20.4        | 19.9        | 18.3        |
| Average Monetary Amount of TTD Benefits                     | \$5,898.11  | \$8,001.34  | \$6,735.09  | \$5,901.35  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$15,043.22 | \$18,499.87 | \$17,771.75 | \$19,565.13 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.1        | 8.7         | 9.4         | 9.8         |
| Average PPD Multiplier         | 2.3         | 2.6         | 2.2         | 2.6         |
| Average PPD Percentage Awarded | 19.5        | 22.3        | 22.5        | 23.0        |
| Average PPD Monetary Benefit   | \$26,268.61 | \$31,875.00 | \$34,386.89 | \$39,859.42 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 16.3        | 15.1        | 11.1        | 15.7        |
| Average PPD Multiplier         | 3.2         | 3.5         | 3.6         | 3.6         |
| Average PPD Percentage Awarded | 31.0        | 42.4        | 38.3        | 48.3        |
| Average PPD Monetary Benefit   | \$36,877.63 | \$48,017.74 | \$50,394.08 | \$59,546.94 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.1        | 9.3         | 6.3         | 7.8         |
| Average PPD Multiplier         | 3.0         | 3.5         | 3.5         | 4.6         |
| Average PPD Percentage Awarded | 32.0        | 28.7        | 18.4        | 28.9        |
| Average PPD Monetary Benefit   | \$19,246.00 | \$16,767.94 | \$13,043.18 | \$19,163.37 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.6         | 12.3        | 6.8         | 9.0         |
| Average PPD Multiplier         | 3.8         | 5.1         | 5.7         |             |
| Average PPD Percentage Awarded | 41.7        | 31.8        | 27.1        |             |
| Average PPD Monetary Benefit   | \$19,709.45 | \$17,459.83 | \$14,774.29 | \$39,274.12 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.8         | 11.2        | 14.6        | 10.3        |
| Average PPD Multiplier         | 3.5         | 3.3         | 2.7         | 2.9         |
| Average PPD Percentage Awarded | 32.7        | 35.5        | 31.9        | 26.2        |
| Average PPD Monetary Benefit   | \$26,507.84 | \$23,445.69 | \$28,046.54 | \$18,896.41 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 21.2        | 12.6        | 16.6        | 16.3        |
| Average PPD Multiplier         | 2.0         | 2.8         | 2.8         | 3.1         |
| Average PPD Percentage Awarded | 37.8        | 36.0        | 42.8        | 41.0        |
| Average PPD Monetary Benefit   | \$39,790.28 | \$25,633.27 | \$30,334.36 | \$16,304.99 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 3.1% | 1.1% | 0.0% | 0.8% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.2% | 0.0% | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 16

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 43.7                       | 47.2                       | 50.1                       | 47.0                       |
| Number of Weeks from MMI to Conclusion    | 38.0                       | 37.3                       | 39.9                       | 46.1                       |
| Number of Weeks from Injury to Conclusion | 87.3                       | 87.2                       | 94.2                       | 93.5                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.2        | 40.9        | 40.9        | 41.2        |
| Percent of Employees with Less Than a High School Education | 13.7%       | 13.0%       | 12.5%       | 14.2%       |
| Percent of Employees a High School Education                | 68.8%       | 66.3%       | 64.8%       | 62.2%       |
| Percent of Employees with More Than a High School Education | 17.5%       | 20.7%       | 22.6%       | 23.6%       |
| Average Weekly Compensation Rate                            | \$416.23    | \$438.81    | \$429.37    | \$439.00    |
| Average Number of Weeks of TTD Benefits                     | 14.8        | 17.1        | 22.9        | 18.3        |
| Average Monetary Amount of TTD Benefits                     | \$6,480.40  | \$8,387.29  | \$9,392.91  | \$7,937.78  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$12,700.58 | \$15,163.22 | \$16,678.89 | \$15,344.29 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.8         | 9.1         | 8.3         | 8.1         |
| Average PPD Multiplier         | 2.1         | 2.0         | 2.2         | 2.2         |
| Average PPD Percentage Awarded | 18.2        | 17.0        | 15.9        | 16.4        |
| Average PPD Monetary Benefit   | \$32,719.06 | \$31,902.21 | \$30,260.72 | \$31,397.16 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.6        | 10.5        | 14.2        | 11.3        |
| Average PPD Multiplier         | 2.8         | 3.5         | 3.3         | 2.9         |
| Average PPD Percentage Awarded | 30.5        | 33.7        | 34.5        | 32.0        |
| Average PPD Monetary Benefit   | \$44,861.10 | \$47,632.92 | \$50,766.73 | \$51,767.78 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.1         | 6.9         | 4.9         | 5.9         |
| Average PPD Multiplier         | 2.7         | 3.4         | 3.2         | 3.1         |
| Average PPD Percentage Awarded | 17.0        | 17.7        | 14.4        | 14.3        |
| Average PPD Monetary Benefit   | \$14,563.71 | \$14,203.63 | \$12,360.44 | \$11,673.85 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.5        | 7.0         | 11.2        | 8.0         |
| Average PPD Multiplier         | 2.8         | 3.6         | 2.9         | 3.7         |
| Average PPD Percentage Awarded | 29.1        | 22.0        | 26.2        | 25.9        |
| Average PPD Monetary Benefit   | \$18,503.60 | \$19,421.47 | \$18,334.94 | \$19,628.75 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.2         | 9.0         | 8.6         | 9.9         |
| Average PPD Multiplier         | 3.2         | 2.7         | 2.7         | 2.4         |
| Average PPD Percentage Awarded | 20.2        | 21.4        | 20.7        | 18.8        |
| Average PPD Monetary Benefit   | \$15,928.64 | \$18,396.87 | \$18,395.43 | \$17,752.78 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.6        | 28.6        | 9.3         | 22.1        |
| Average PPD Multiplier         | 6.7         | 4.1         | 2.8         | 2.9         |
| Average PPD Percentage Awarded | 36.8        | 48.8        | 23.6        | 54.2        |
| Average PPD Monetary Benefit   | \$28,374.62 | \$30,571.01 | \$19,852.49 | \$32,130.98 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 2.8% | 2.7% | 2.5% | 1.2% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.0% | 0.5% | 0.7% | 0.6% |

## Summary of Closed Case Data for Judicial District 17

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 41.9                       | 41.5                       | 47.4                       | 47.0                       |
| Number of Weeks from MMI to Conclusion    | 48.6                       | 47.9                       | 46.9                       | 40.7                       |
| Number of Weeks from Injury to Conclusion | 94.5                       | 98.4                       | 93.1                       | 91.2                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.6        | 40.4        | 42.2        | 43.0        |
| Percent of Employees with Less Than a High School Education | 20.8%       | 22.4%       | 22.6%       | 29.4%       |
| Percent of Employees a High School Education                | 62.5%       | 60.5%       | 66.1%       | 54.9%       |
| Percent of Employees with More Than a High School Education | 16.7%       | 17.1%       | 11.3%       | 15.7%       |
| Average Weekly Compensation Rate                            | \$296.51    | \$314.29    | \$321.87    | \$350.51    |
| Average Number of Weeks of TTD Benefits                     | 21.1        | 17.9        | 27.0        | 14.8        |
| Average Monetary Amount of TTD Benefits                     | \$6,870.75  | \$6,741.10  | \$9,403.03  | \$4,918.20  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$17,436.39 | \$11,747.12 | \$14,769.03 | \$14,750.38 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.9         | 8.1         | 14.1        | 8.6         |
| Average PPD Multiplier         | 2.1         | 2.3         | 2.6         | 2.3         |
| Average PPD Percentage Awarded | 18.9        | 18.5        | 19.2        | 18.4        |
| Average PPD Monetary Benefit   | \$25,362.90 | \$26,006.10 | \$27,729.51 | \$29,039.72 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.2        | 12.3        | 12.3        | 8.6         |
| Average PPD Multiplier         | 2.9         | 2.6         | 3.8         | 3.3         |
| Average PPD Percentage Awarded | 36.5        | 31.9        | 41.5        | 22.9        |
| Average PPD Monetary Benefit   | \$35,448.18 | \$40,908.38 | \$59,537.54 | \$36,730.34 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 6.1         | 10.5        | 8.0         | 7.1         |
| Average PPD Multiplier         | 3.7         | 2.3         | 2.8         | 3.2         |
| Average PPD Percentage Awarded | 18.7        | 23.6        | 20.9        | 24.5        |
| Average PPD Monetary Benefit   | \$11,300.42 | \$14,012.51 | \$12,599.76 | \$15,217.69 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |            |             |
|--------------------------------|-------------|-------------|------------|-------------|
| Average PPI Rating             | 8.6         | 10.1        | 8.0        | 8.5         |
| Average PPD Multiplier         | 2.9         | 2.4         | 2.9        | 3.4         |
| Average PPD Percentage Awarded | 26.7        | 23.3        | 20.2       | 28.0        |
| Average PPD Monetary Benefit   | \$17,404.56 | \$11,961.47 | \$8,394.45 | \$15,595.97 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 5.8         | 9.0         | 11.2        | 8.6         |
| Average PPD Multiplier         | 2.9         | 2.1         | 3.4         | 2.0         |
| Average PPD Percentage Awarded | 17.9        | 17.4        | 30.3        | 17.4        |
| Average PPD Monetary Benefit   | \$14,690.84 | \$12,801.43 | \$15,054.07 | \$11,939.87 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |  |
|--------------------------------|-------------|-------------|-------------|--|
| Average PPI Rating             | 22.3        | 26.3        | 10.0        |  |
| Average PPD Multiplier         | 2.7         | 3.1         | 2.5         |  |
| Average PPD Percentage Awarded | 51.1        | 45.2        | 25.0        |  |
| Average PPD Monetary Benefit   | \$33,911.75 | \$27,443.68 | \$13,789.50 |  |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 5.0% | 2.8% | 2.4% | 0.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.0% | 0.0% | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 18

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 44.5                       | 41.3                       | 49.9                       | 40.8                       |
| Number of Weeks from MMI to Conclusion    | 49.9                       | 44.5                       | 53.7                       | 52.6                       |
| Number of Weeks from Injury to Conclusion | 100.6                      | 89.4                       | 109.4                      | 96.1                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.2        | 44.0        | 39.7        | 42.6        |
| Percent of Employees with Less Than a High School Education | 22.7%       | 22.8%       | 30.4%       | 38.2%       |
| Percent of Employees a High School Education                | 52.0%       | 65.8%       | 51.9%       | 43.8%       |
| Percent of Employees with More Than a High School Education | 25.3%       | 11.4%       | 17.7%       | 18.0%       |
| Average Weekly Compensation Rate                            | \$312.23    | \$320.62    | \$319.48    | \$358.07    |
| Average Number of Weeks of TTD Benefits                     | 16.5        | 17.5        | 25.9        | 18.2        |
| Average Monetary Amount of TTD Benefits                     | \$6,156.85  | \$7,298.52  | \$8,222.17  | \$6,258.87  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$15,748.45 | \$16,870.68 | \$23,547.47 | \$21,345.30 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.3         | 8.8         | 11.3        | 12.7        |
| Average PPD Multiplier         | 2.4         | 2.3         | 2.4         | 2.3         |
| Average PPD Percentage Awarded | 15.2        | 19.0        | 22.5        | 24.2        |
| Average PPD Monetary Benefit   | \$20,385.52 | \$23,587.65 | \$58,916.05 | \$39,916.05 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.1         | 18.6        | 13.1        | 12.3        |
| Average PPD Multiplier         | 3.2         | 2.7         | 4.8         | 2.8         |
| Average PPD Percentage Awarded | 25.0        | 39.1        | 42.7        | 35.3        |
| Average PPD Monetary Benefit   | \$30,526.17 | \$48,257.69 | \$58,400.17 | \$51,784.97 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |            |
|--------------------------------|-------------|-------------|-------------|------------|
| Average PPI Rating             | 8.2         | 5.8         | 8.7         | 5.5        |
| Average PPD Multiplier         | 2.8         | 3.4         | 3.6         | 2.9        |
| Average PPD Percentage Awarded | 21.4        | 19.7        | 28.4        | 14.4       |
| Average PPD Monetary Benefit   | \$12,956.40 | \$11,980.50 | \$13,403.37 | \$9,318.96 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 5.0         | 17.4        | 10.1        | 15.3        |
| Average PPD Multiplier         | 5.9         | 2.3         | 4.2         | 3.2         |
| Average PPD Percentage Awarded | 20.8        | 37.5        | 37.3        | 31.8        |
| Average PPD Monetary Benefit   | \$11,207.59 | \$33,801.50 | \$25,423.50 | \$17,545.96 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.2        | 10.9        | 9.5         | 8.7         |
| Average PPD Multiplier         | 2.3         | 2.6         | 2.3         | 2.5         |
| Average PPD Percentage Awarded | 21.6        | 29.1        | 37.5        | 20.8        |
| Average PPD Monetary Benefit   | \$20,229.36 | \$20,452.28 | \$25,273.50 | \$17,592.77 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.5        |             | 8.0         | 10.0        |
| Average PPD Multiplier         | 3.6         |             | 2.5         | 4.6         |
| Average PPD Percentage Awarded | 36.3        | 38.0        | 20.7        | 46.0        |
| Average PPD Monetary Benefit   | \$28,109.93 | \$23,511.84 | \$11,638.93 | \$29,900.00 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 0.0% | 0.0% | 4.7% | 2.6% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 0.0% | 0.0% | 1.7% |

## Summary of Closed Case Data for Judicial District 19

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 45.9                       | 42.7                       | 46.0                       | 51.4                       |
| Number of Weeks from MMI to Conclusion    | 55.8                       | 48.6                       | 60.1                       | 57.7                       |
| Number of Weeks from Injury to Conclusion | 102.0                      | 93.8                       | 115.1                      | 113.9                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.0        | 40.0        | 42.4        | 44.1        |
| Percent of Employees with Less Than a High School Education | 11.2%       | 15.6%       | 19.8%       | 17.2%       |
| Percent of Employees a High School Education                | 67.3%       | 57.3%       | 57.8%       | 54.1%       |
| Percent of Employees with More Than a High School Education | 21.5%       | 27.1%       | 22.4%       | 28.7%       |
| Average Weekly Compensation Rate                            | \$302.11    | \$323.82    | \$329.06    | \$339.00    |
| Average Number of Weeks of TTD Benefits                     | 16.4        | 19.8        | 23.4        | 21.1        |
| Average Monetary Amount of TTD Benefits                     | \$5,346.30  | \$7,649.14  | \$7,705.49  | \$7,135.71  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$13,910.57 | \$17,802.03 | \$14,924.58 | \$15,676.44 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.6         | 8.8         | 8.3         | 8.7         |
| Average PPD Multiplier         | 2.0         | 2.3         | 2.7         | 2.3         |
| Average PPD Percentage Awarded | 17.0        | 19.0        | 20.6        | 17.0        |
| Average PPD Monetary Benefit   | \$20,596.02 | \$27,347.89 | \$31,180.28 | \$25,091.02 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.9        | 13.4        | 9.6         | 13.4        |
| Average PPD Multiplier         | 2.6         | 3.1         | 3.9         | 2.9         |
| Average PPD Percentage Awarded | 26.5        | 28.4        | 34.7        | 35.0        |
| Average PPD Monetary Benefit   | \$27,383.93 | \$38,044.59 | \$52,382.96 | \$45,103.02 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.9        | 9.1         | 8.5         | 6.4         |
| Average PPD Multiplier         | 2.9         | 3.0         | 3.6         | 3.4         |
| Average PPD Percentage Awarded | 30.3        | 23.2        | 22.5        | 19.3        |
| Average PPD Monetary Benefit   | \$17,379.88 | \$16,333.29 | \$13,077.25 | \$13,956.65 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.0         | 7.3         | 6.9         | 8.8         |
| Average PPD Multiplier         | 4.8         | 5.6         | 3.6         | 6.1         |
| Average PPD Percentage Awarded | 30.2        | 42.3        | 20.7        | 36.7        |
| Average PPD Monetary Benefit   | \$19,818.10 | \$13,788.38 | \$14,795.19 | \$18,882.33 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 10.2        | 5.5        | 8.4         | 8.6         |
| Average PPD Multiplier         | 3.5         | 3.1        | 2.8         | 3.2         |
| Average PPD Percentage Awarded | 32.6        | 16.8       | 20.7        | 27.1        |
| Average PPD Monetary Benefit   | \$25,498.60 | \$9,506.21 | \$13,448.63 | \$23,197.29 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.0        | 12.1        | 17.2        | 12.9        |
| Average PPD Multiplier         | 2.0         | 3.1         | 3.6         | 3.2         |
| Average PPD Percentage Awarded | 20.0        | 31.9        | 38.9        | 42.0        |
| Average PPD Monetary Benefit   | \$21,611.20 | \$19,341.06 | \$29,027.01 | \$21,224.04 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 5.5% | 4.9% | 1.3% | 1.5% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 1.4% | 0.6% | 0.0% |

## Summary of Closed Case Data for Judicial District 20

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 38.7                       | 37.2                       | 42.2                       | 39.6                       |
| Number of Weeks from MMI to Conclusion    | 30.2                       | 30.5                       | 32.1                       | 32.1                       |
| Number of Weeks from Injury to Conclusion | 70.5                       | 70.1                       | 75.7                       | 73.9                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.8        | 41.8        | 41.9        | 42.8        |
| Percent of Employees with Less Than a High School Education | 20.3%       | 19.1%       | 21.5%       | 21.8%       |
| Percent of Employees a High School Education                | 56.1%       | 57.3%       | 51.7%       | 51.1%       |
| Percent of Employees with More Than a High School Education | 23.6%       | 23.6%       | 26.8%       | 27.1%       |
| Average Weekly Compensation Rate                            | \$337.06    | \$350.60    | \$356.54    | \$365.25    |
| Average Number of Weeks of TTD Benefits                     | 16.7        | 17.1        | 19.4        | 18.6        |
| Average Monetary Amount of TTD Benefits                     | \$5,880.06  | \$6,320.82  | \$6,757.98  | \$6,723.72  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$15,446.04 | \$15,539.22 | \$18,407.41 | \$19,511.96 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.7         | 8.6         | 9.1         | 8.9         |
| Average PPD Multiplier         | 2.2         | 2.1         | 2.2         | 2.2         |
| Average PPD Percentage Awarded | 17.7        | 17.2        | 18.5        | 18.7        |
| Average PPD Monetary Benefit   | \$25,200.77 | \$26,739.71 | \$29,092.13 | \$29,358.20 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.8         | 11.1        | 13.8        | 12.2        |
| Average PPD Multiplier         | 3.2         | 3.2         | 2.9         | 3.4         |
| Average PPD Percentage Awarded | 26.5        | 30.2        | 32.3        | 33.4        |
| Average PPD Monetary Benefit   | \$33,433.79 | \$40,925.51 | \$45,087.51 | \$50,393.18 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.8         | 8.1         | 7.6         | 7.7         |
| Average PPD Multiplier         | 2.6         | 2.6         | 2.4         | 2.7         |
| Average PPD Percentage Awarded | 17.9        | 19.1        | 15.3        | 17.4        |
| Average PPD Monetary Benefit   | \$11,772.24 | \$13,079.53 | \$11,024.20 | \$12,583.95 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.9        | 10.1        | 10.4        | 8.4         |
| Average PPD Multiplier         | 2.5         | 2.7         | 3.1         | 3.3         |
| Average PPD Percentage Awarded | 24.0        | 24.0        | 26.0        | 24.2        |
| Average PPD Monetary Benefit   | \$12,752.79 | \$14,639.27 | \$14,802.17 | \$15,130.30 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.4         | 8.4         | 8.1         | 8.6         |
| Average PPD Multiplier         | 2.6         | 2.8         | 2.6         | 2.5         |
| Average PPD Percentage Awarded | 19.1        | 19.8        | 18.5        | 18.7        |
| Average PPD Monetary Benefit   | \$13,947.59 | \$13,379.00 | \$13,851.89 | \$13,908.94 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.6        | 11.0        | 13.2        | 12.0        |
| Average PPD Multiplier         | 3.5         | 3.1         | 3.4         | 3.2         |
| Average PPD Percentage Awarded | 40.5        | 30.2        | 36.3        | 34.3        |
| Average PPD Monetary Benefit   | \$26,203.24 | \$18,687.78 | \$22,483.00 | \$20,451.76 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.8% | 1.4% | 1.4% | 1.3% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.5% | 0.8% | 0.9% | 0.3% |

## Summary of Closed Case Data for Judicial District 21

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 47.3                       | 43.2                       | 55.5                       | 41.2                       |
| Number of Weeks from MMI to Conclusion    | 49.2                       | 52.6                       | 43.3                       | 69.6                       |
| Number of Weeks from Injury to Conclusion | 97.3                       | 103.0                      | 96.6                       | 113.4                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 45.0        | 40.5        | 42.6        | 43.8        |
| Percent of Employees with Less Than a High School Education | 27.8%       | 30.0%       | 18.2%       | 31.4%       |
| Percent of Employees a High School Education                | 50.0%       | 57.5%       | 54.5%       | 33.3%       |
| Percent of Employees with More Than a High School Education | 22.2%       | 12.5%       | 27.3%       | 35.3%       |
| Average Weekly Compensation Rate                            | \$339.61    | \$297.14    | \$334.59    | \$357.12    |
| Average Number of Weeks of TTD Benefits                     | 23.9        | 25.0        | 19.5        | 16.0        |
| Average Monetary Amount of TTD Benefits                     | \$8,110.78  | \$8,546.92  | \$6,713.34  | \$5,564.76  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$19,393.58 | \$31,800.63 | \$21,415.40 | \$19,271.07 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.0        | 10.1        | 10.4        | 8.6         |
| Average PPD Multiplier         | 2.1         | 2.4         | 2.3         | 2.5         |
| Average PPD Percentage Awarded | 17.9        | 26.1        | 24.5        | 19.1        |
| Average PPD Monetary Benefit   | \$25,211.91 | \$28,163.30 | \$41,476.49 | \$29,067.02 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 7.4         | 22.1        | 9.8         | 11.3        |
| Average PPD Multiplier         | 3.0         | 2.0         | 3.1         | 3.3         |
| Average PPD Percentage Awarded | 21.0        | 21.6        | 30.1        | 30.6        |
| Average PPD Monetary Benefit   | \$28,677.64 | \$30,575.53 | \$41,560.55 | \$30,095.48 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.1        | 6.5         | 4.0         | 6.2         |
| Average PPD Multiplier         | 2.5         | 2.5         | 2.5         | 3.9         |
| Average PPD Percentage Awarded | 31.8        | 18.0        | 13.0        | 21.0        |
| Average PPD Monetary Benefit   | \$15,857.71 | \$10,883.33 | \$12,506.94 | \$12,779.62 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |  |  |             |             |
|--------------------------------|--|--|-------------|-------------|
| Average PPI Rating             |  |  | 18.4        | 10.0        |
| Average PPD Multiplier         |  |  | 2.3         | 2.1         |
| Average PPD Percentage Awarded |  |  | 38.6        | 21.0        |
| Average PPD Monetary Benefit   |  |  | \$25,069.88 | \$10,981.74 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 22.3        | 8.3         | 21.8        | 8.3         |
| Average PPD Multiplier         | 2.1         | 2.3         | 2.3         | 3.1         |
| Average PPD Percentage Awarded | 45.0        | 28.0        | 37.9        | 26.9        |
| Average PPD Monetary Benefit   | \$16,282.31 | \$12,746.65 | \$27,903.28 | \$12,455.23 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |  |             |             |             |
|--------------------------------|--|-------------|-------------|-------------|
| Average PPI Rating             |  | 14.0        | 7.2         | 15.3        |
| Average PPD Multiplier         |  | 3.2         | 3.4         | 1.9         |
| Average PPD Percentage Awarded |  | 40.5        | 24.0        | 26.2        |
| Average PPD Monetary Benefit   |  | \$29,992.95 | \$37,195.90 | \$12,407.61 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 0.0% | 3.3% | 2.0% | 4.4% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 0.0% | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 22

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 48.4                       | 55.2                       | 58.6                       | 53.9                       |
| Number of Weeks from MMI to Conclusion    | 53.9                       | 50.4                       | 37.3                       | 46.0                       |
| Number of Weeks from Injury to Conclusion | 108.3                      | 105.6                      | 96.3                       | 110.1                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 43.7        | 43.2        | 42.1        | 43.3        |
| Percent of Employees with Less Than a High School Education | 24.4%       | 23.0%       | 22.7%       | 21.2%       |
| Percent of Employees a High School Education                | 57.0%       | 60.8%       | 57.3%       | 57.6%       |
| Percent of Employees with More Than a High School Education | 18.5%       | 16.2%       | 20.0%       | 21.2%       |
| Average Weekly Compensation Rate                            | \$331.78    | \$321.51    | \$341.07    | \$352.40    |
| Average Number of Weeks of TTD Benefits                     | 18.9        | 18.5        | 20.6        | 22.7        |
| Average Monetary Amount of TTD Benefits                     | \$6,265.12  | \$7,634.71  | \$7,615.29  | \$8,158.16  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$13,968.59 | \$17,152.57 | \$18,044.06 | \$19,941.15 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.0        | 8.8         | 9.9         | 10.7        |
| Average PPD Multiplier         | 2.4         | 2.3         | 2.3         | 2.4         |
| Average PPD Percentage Awarded | 23.9        | 18.8        | 19.9        | 23.3        |
| Average PPD Monetary Benefit   | \$29,182.28 | \$24,970.10 | \$29,535.01 | \$38,152.51 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 19.3        | 17.5        | 9.9         | 15.9        |
| Average PPD Multiplier         | 3.0         | 3.1         | 3.9         | 3.5         |
| Average PPD Percentage Awarded | 42.7        | 38.1        | 35.6        | 48.7        |
| Average PPD Monetary Benefit   | \$44,449.16 | \$55,333.25 | \$45,170.22 | \$78,614.80 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |            |             |
|--------------------------------|-------------|-------------|------------|-------------|
| Average PPI Rating             | 7.8         | 8.7         | 5.4        | 9.7         |
| Average PPD Multiplier         | 3.1         | 2.3         | 3.1        | 3.5         |
| Average PPD Percentage Awarded | 22.9        | 17.3        | 14.9       | 28.4        |
| Average PPD Monetary Benefit   | \$14,518.31 | \$13,352.33 | \$9,989.74 | \$16,731.02 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.5        | 21.0        | 11.0        | 19.0        |
| Average PPD Multiplier         | 3.1         | 3.0         | 3.5         | 3.0         |
| Average PPD Percentage Awarded | 31.5        | 44.1        | 26.5        | 55.5        |
| Average PPD Monetary Benefit   | \$19,807.02 | \$27,879.93 | \$19,022.28 | \$15,747.51 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 11.2        | 6.3        | 8.6         | 8.9         |
| Average PPD Multiplier         | 3.6         | 3.2        | 2.6         | 3.0         |
| Average PPD Percentage Awarded | 28.3        | 17.7       | 22.4        | 21.5        |
| Average PPD Monetary Benefit   | \$20,115.00 | \$9,146.36 | \$18,411.53 | \$17,003.57 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |            |             |            |             |
|--------------------------------|------------|-------------|------------|-------------|
| Average PPI Rating             | 10.0       | 35.9        | 2.0        | 11.7        |
| Average PPD Multiplier         | 2.5        | 3.5         | 2.8        | 3.6         |
| Average PPD Percentage Awarded | 22.5       | 79.3        | 5.5        | 39.3        |
| Average PPD Monetary Benefit   | \$8,425.20 | \$58,556.33 | \$5,412.00 | \$17,416.53 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 5.6% | 2.0% | 1.3% | 1.5% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.4% | 0.5% | 0.6% | 0.0% |

## Summary of Closed Case Data for Judicial District 23

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 41.4                       | 34.0                       | 48.4                       | 54.2                       |
| Number of Weeks from MMI to Conclusion    | 71.4                       | 49.3                       | 48.6                       | 47.6                       |
| Number of Weeks from Injury to Conclusion | 120.1                      | 89.2                       | 110.7                      | 106.7                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.7        | 39.8        | 42.8        | 41.8        |
| Percent of Employees with Less Than a High School Education | 26.7%       | 21.9%       | 48.5%       | 21.7%       |
| Percent of Employees a High School Education                | 57.8%       | 71.9%       | 30.3%       | 63.3%       |
| Percent of Employees with More Than a High School Education | 15.6%       | 6.3%        | 21.2%       | 15.0%       |
| Average Weekly Compensation Rate                            | \$306.68    | \$326.65    | \$337.10    | \$368.22    |
| Average Number of Weeks of TTD Benefits                     | 18.0        | 14.5        | 27.4        | 21.1        |
| Average Monetary Amount of TTD Benefits                     | \$5,054.79  | \$5,252.79  | \$6,682.79  | \$7,830.16  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$13,724.42 | \$15,358.60 | \$18,308.51 | \$28,426.44 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.0        | 7.0         | 9.8         | 8.5         |
| Average PPD Multiplier         | 1.9         | 2.1         | 2.7         | 2.4         |
| Average PPD Percentage Awarded | 20.7        | 15.9        | 21.6        | 22.2        |
| Average PPD Monetary Benefit   | \$18,655.82 | \$21,949.02 | \$35,273.75 | \$35,339.68 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 26.5        | 9.1         | 16.8        | 11.5        |
| Average PPD Multiplier         | 3.2         | 3.0         | 3.0         | 2.8         |
| Average PPD Percentage Awarded | 41.4        | 28.2        | 48.4        | 29.3        |
| Average PPD Monetary Benefit   | \$45,063.64 | \$38,496.91 | \$47,129.22 | \$39,520.63 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 11.2        | 7.2         | 12.3        | 6.4         |
| Average PPD Multiplier         | 2.2         | 3.7         | 3.7         | 3.0         |
| Average PPD Percentage Awarded | 22.2        | 22.0        | 22.7        | 17.3        |
| Average PPD Monetary Benefit   | \$14,982.97 | \$13,699.55 | \$17,453.99 | \$11,889.80 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |  |            |             |
|--------------------------------|-------------|--|------------|-------------|
| Average PPI Rating             | 20.3        |  | 5.0        | 13.4        |
| Average PPD Multiplier         | 3.9         |  | 4.0        | 2.8         |
| Average PPD Percentage Awarded | 50.0        |  | 20.0       | 39.3        |
| Average PPD Monetary Benefit   | \$24,842.53 |  | \$5,408.40 | \$23,059.92 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.9        | 13.5        | 8.2         | 11.9        |
| Average PPD Multiplier         | 2.5         | 2.3         | 3.6         | 3.1         |
| Average PPD Percentage Awarded | 39.7        | 30.0        | 14.9        | 26.3        |
| Average PPD Monetary Benefit   | \$14,454.54 | \$29,311.80 | \$13,756.40 | \$27,539.39 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |  |             |            |
|--------------------------------|-------------|--|-------------|------------|
| Average PPI Rating             | 30.0        |  | 21.0        | 2.0        |
| Average PPD Multiplier         | 2.2         |  | 14.3        | 3.0        |
| Average PPD Percentage Awarded | 65.0        |  | 100.0       | 6.0        |
| Average PPD Monetary Benefit   | \$20,070.70 |  | \$40,002.00 | \$2,444.28 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.7% | 0.0% | 0.0% | 0.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 1.7% | 2.3% | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 24

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 37.4                       | 42.2                       | 43.3                       | 43.7                       |
| Number of Weeks from MMI to Conclusion    | 44.9                       | 51.4                       | 53.9                       | 52.3                       |
| Number of Weeks from Injury to Conclusion | 83.7                       | 91.2                       | 100.2                      | 96.0                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.0        | 40.8        | 39.1        | 43.3        |
| Percent of Employees with Less Than a High School Education | 35.4%       | 26.7%       | 19.4%       | 30.0%       |
| Percent of Employees a High School Education                | 55.1%       | 59.7%       | 63.3%       | 55.2%       |
| Percent of Employees with More Than a High School Education | 9.6%        | 13.6%       | 17.3%       | 14.8%       |
| Average Weekly Compensation Rate                            | \$264.38    | \$274.05    | \$291.45    | \$300.39    |
| Average Number of Weeks of TTD Benefits                     | 15.4        | 16.5        | 20.2        | 15.9        |
| Average Monetary Amount of TTD Benefits                     | \$4,607.71  | \$4,652.55  | \$6,231.35  | \$4,844.83  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$10,054.00 | \$12,254.95 | \$15,833.49 | \$14,062.05 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.5        | 11.5        | 14.0        | 13.2        |
| Average PPD Multiplier         | 2.0         | 2.3         | 2.1         | 2.2         |
| Average PPD Percentage Awarded | 19.2        | 24.1        | 29.0        | 27.0        |
| Average PPD Monetary Benefit   | \$19,685.07 | \$29,251.62 | \$37,654.43 | \$34,432.22 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 19.9        | 20.0        | 13.8        | 12.6        |
| Average PPD Multiplier         | 2.3         | 2.6         | 3.1         | 3.2         |
| Average PPD Percentage Awarded | 35.1        | 42.2        | 45.2        | 35.5        |
| Average PPD Monetary Benefit   | \$42,113.05 | \$42,515.70 | \$51,372.72 | \$40,024.65 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.3        | 11.9        | 10.6        | 11.3        |
| Average PPD Multiplier         | 2.5         | 2.5         | 3.0         | 2.8         |
| Average PPD Percentage Awarded | 29.4        | 25.4        | 26.4        | 25.7        |
| Average PPD Monetary Benefit   | \$14,019.27 | \$13,606.85 | \$15,022.37 | \$13,045.49 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 12.2        | 11.7       | 14.1        | 9.8         |
| Average PPD Multiplier         | 2.5         | 2.5        | 3.8         | 3.0         |
| Average PPD Percentage Awarded | 24.9        | 22.6       | 28.9        | 24.7        |
| Average PPD Monetary Benefit   | \$13,429.76 | \$9,580.52 | \$13,808.64 | \$14,237.41 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.9        | 17.2        | 12.9        | 16.5        |
| Average PPD Multiplier         | 2.2         | 3.2         | 3.4         | 3.1         |
| Average PPD Percentage Awarded | 27.5        | 40.5        | 33.9        | 33.1        |
| Average PPD Monetary Benefit   | \$14,415.62 | \$25,350.78 | \$18,743.44 | \$20,607.88 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |            |             |
|--------------------------------|-------------|-------------|------------|-------------|
| Average PPI Rating             | 14.3        | 25.2        | 5.8        | 18.0        |
| Average PPD Multiplier         | 3.4         | 1.6         | 3.2        | 3.1         |
| Average PPD Percentage Awarded | 60.0        | 42.6        | 18.5       | 44.0        |
| Average PPD Monetary Benefit   | \$55,746.00 | \$20,408.81 | \$8,921.79 | \$25,729.12 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.8% | 0.5% | 3.4% | 0.8% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 0.0% | 0.0% | 1.2% |

## Summary of Closed Case Data for Judicial District 25

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 40.8                       | 35.0                       | 43.4                       | 45.4                       |
| Number of Weeks from MMI to Conclusion    | 58.9                       | 62.1                       | 57.3                       | 50.5                       |
| Number of Weeks from Injury to Conclusion | 105.2                      | 100.5                      | 99.1                       | 90.7                       |

### Case Information

|                                                             |             |            |             |             |
|-------------------------------------------------------------|-------------|------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.1        | 36.7       | 38.5        | 42.2        |
| Percent of Employees with Less Than a High School Education | 27.8%       | 23.4%      | 24.1%       | 20.1%       |
| Percent of Employees a High School Education                | 64.6%       | 59.7%      | 63.8%       | 62.9%       |
| Percent of Employees with More Than a High School Education | 7.6%        | 16.9%      | 12.1%       | 17.0%       |
| Average Weekly Compensation Rate                            | \$280.85    | \$291.26   | \$288.46    | \$343.70    |
| Average Number of Weeks of TTD Benefits                     | 17.9        | 10.5       | 18.8        | 15.4        |
| Average Monetary Amount of TTD Benefits                     | \$5,543.08  | \$3,335.62 | \$4,922.28  | \$5,229.92  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$27,154.45 | \$9,353.20 | \$22,009.04 | \$17,711.44 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.4         | 10.8        | 9.2         | 11.9        |
| Average PPD Multiplier         | 1.8         | 1.8         | 2.0         | 2.2         |
| Average PPD Percentage Awarded | 19.7        | 17.7        | 17.5        | 24.2        |
| Average PPD Monetary Benefit   | \$19,390.32 | \$23,445.93 | \$22,708.03 | \$33,700.01 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 31.9        | 11.9        | 16.9        | 11.9        |
| Average PPD Multiplier         | 3.0         | 2.3         | 2.7         | 3.0         |
| Average PPD Percentage Awarded | 53.7        | 23.8        | 34.6        | 32.0        |
| Average PPD Monetary Benefit   | \$59,557.52 | \$24,708.30 | \$32,736.31 | \$42,097.49 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.0        | 14.5        | 12.3        | 11.1        |
| Average PPD Multiplier         | 2.1         | 2.5         | 2.9         | 3.0         |
| Average PPD Percentage Awarded | 27.7        | 29.8        | 24.3        | 24.8        |
| Average PPD Monetary Benefit   | \$13,245.87 | \$18,402.39 | \$12,677.17 | \$13,588.00 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |            |            |             |
|--------------------------------|-------------|------------|------------|-------------|
| Average PPI Rating             | 26.1        | 8.8        | 5.0        | 10.0        |
| Average PPD Multiplier         | 4.4         | 2.4        | 6.0        | 2.4         |
| Average PPD Percentage Awarded | 39.3        | 16.5       | 30.0       | 24.0        |
| Average PPD Monetary Benefit   | \$16,432.20 | \$8,501.04 | \$9,893.50 | \$10,557.69 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |            |             |             |
|--------------------------------|-------------|------------|-------------|-------------|
| Average PPI Rating             | 19.4        | 6.3        | 18.0        | 10.7        |
| Average PPD Multiplier         | 2.9         | 2.5        | 1.5         | 2.5         |
| Average PPD Percentage Awarded | 28.7        | 15.9       | 20.2        | 21.7        |
| Average PPD Monetary Benefit   | \$20,479.61 | \$7,078.77 | \$14,066.66 | \$19,116.14 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |  |             |
|--------------------------------|-------------|-------------|--|-------------|
| Average PPI Rating             | 9.0         |             |  | 19.0        |
| Average PPD Multiplier         | 1.9         |             |  | 2.3         |
| Average PPD Percentage Awarded | 18.0        | 36.5        |  | 27.7        |
| Average PPD Monetary Benefit   | \$18,182.08 | \$15,165.20 |  | \$20,823.59 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.2% | 3.1% | 7.2% | 2.2% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.5% | 1.0% | 0.0% | 1.1% |

## Summary of Closed Case Data for Judicial District 26

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 33.4                       | 37.5                       | 37.8                       | 46.2                       |
| Number of Weeks from MMI to Conclusion    | 39.4                       | 41.4                       | 33.3                       | 37.7                       |
| Number of Weeks from Injury to Conclusion | 75.3                       | 79.6                       | 73.5                       | 85.7                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.9        | 41.6        | 42.9        | 43.3        |
| Percent of Employees with Less Than a High School Education | 17.5%       | 15.8%       | 17.8%       | 17.0%       |
| Percent of Employees a High School Education                | 64.7%       | 65.3%       | 59.4%       | 59.5%       |
| Percent of Employees with More Than a High School Education | 17.8%       | 18.9%       | 22.8%       | 23.5%       |
| Average Weekly Compensation Rate                            | \$306.21    | \$314.50    | \$321.65    | \$326.31    |
| Average Number of Weeks of TTD Benefits                     | 15.3        | 15.9        | 16.9        | 19.5        |
| Average Monetary Amount of TTD Benefits                     | \$5,034.85  | \$4,791.56  | \$5,597.91  | \$5,955.70  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$12,764.97 | \$12,738.39 | \$13,890.12 | \$15,300.81 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.5        | 10.6        | 10.4        | 11.0        |
| Average PPD Multiplier         | 2.1         | 2.2         | 2.0         | 2.0         |
| Average PPD Percentage Awarded | 18.3        | 19.9        | 18.8        | 20.5        |
| Average PPD Monetary Benefit   | \$24,949.25 | \$27,546.34 | \$30,017.28 | \$28,813.09 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 17.2        | 13.8        | 18.4        | 12.3        |
| Average PPD Multiplier         | 2.9         | 3.1         | 2.2         | 3.1         |
| Average PPD Percentage Awarded | 31.8        | 39.7        | 23.8        | 36.8        |
| Average PPD Monetary Benefit   | \$36,205.38 | \$51,492.90 | \$33,604.25 | \$40,514.67 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 8.7         | 12.1        | 9.3         | 8.4         |
| Average PPD Multiplier         | 2.4         | 2.4         | 2.6         | 2.8         |
| Average PPD Percentage Awarded | 19.3        | 22.6        | 18.4        | 19.8        |
| Average PPD Monetary Benefit   | \$12,178.61 | \$13,175.71 | \$11,601.88 | \$12,514.37 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.1        | 16.6        | 18.4        | 10.1        |
| Average PPD Multiplier         | 2.8         | 2.6         | 2.5         | 2.9         |
| Average PPD Percentage Awarded | 34.7        | 36.6        | 43.3        | 24.7        |
| Average PPD Monetary Benefit   | \$18,022.12 | \$19,857.92 | \$22,935.12 | \$14,673.24 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 12.3        | 10.6        | 7.4         | 11.8        |
| Average PPD Multiplier         | 2.4         | 2.7         | 2.7         | 3.0         |
| Average PPD Percentage Awarded | 25.6        | 26.5        | 18.4        | 22.5        |
| Average PPD Monetary Benefit   | \$16,364.51 | \$16,534.49 | \$12,380.29 | \$17,778.76 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 22.0        | 11.3        |             | 7.2         |
| Average PPD Multiplier         | 3.0         | 3.6         | 0.2         | 3.5         |
| Average PPD Percentage Awarded | 53.8        | 42.0        | 40.0        | 14.5        |
| Average PPD Monetary Benefit   | \$28,802.78 | \$20,079.73 | \$20,447.20 | \$19,628.46 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 1.8% | 1.2% | 1.8% | 2.2% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.9% | 0.3% | 1.1% | 0.3% |

## Summary of Closed Case Data for Judicial District 27

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 48.1                       | 37.9                       | 52.7                       | 52.5                       |
| Number of Weeks from MMI to Conclusion    | 56.0                       | 65.6                       | 56.1                       | 54.3                       |
| Number of Weeks from Injury to Conclusion | 108.8                      | 110.1                      | 110.4                      | 106.9                      |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 41.2        | 40.9        | 40.7        | 42.2        |
| Percent of Employees with Less Than a High School Education | 25.0%       | 29.6%       | 20.5%       | 18.9%       |
| Percent of Employees a High School Education                | 63.8%       | 60.2%       | 67.0%       | 64.9%       |
| Percent of Employees with More Than a High School Education | 11.2%       | 10.2%       | 12.5%       | 16.2%       |
| Average Weekly Compensation Rate                            | \$329.40    | \$324.62    | \$355.97    | \$373.66    |
| Average Number of Weeks of TTD Benefits                     | 15.2        | 20.1        | 21.8        | 21.0        |
| Average Monetary Amount of TTD Benefits                     | \$5,361.52  | \$7,046.90  | \$7,600.12  | \$8,656.38  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$11,182.02 | \$12,291.82 | \$15,252.87 | \$16,230.56 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.7        | 11.3        | 9.6         | 11.8        |
| Average PPD Multiplier         | 2.0         | 2.2         | 2.5         | 2.1         |
| Average PPD Percentage Awarded | 19.8        | 22.8        | 20.9        | 22.4        |
| Average PPD Monetary Benefit   | \$29,070.10 | \$36,485.06 | \$32,878.23 | \$37,855.58 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 26.2        | 19.7        | 10.5        | 12.7        |
| Average PPD Multiplier         | 2.4         | 2.5         | 3.3         | 3.2         |
| Average PPD Percentage Awarded | 34.8        | 37.5        | 35.3        | 41.9        |
| Average PPD Monetary Benefit   | \$52,846.31 | \$51,778.63 | \$51,587.06 | \$73,990.68 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.4        | 12.3        | 10.2        | 8.4         |
| Average PPD Multiplier         | 2.2         | 2.5         | 2.1         | 2.4         |
| Average PPD Percentage Awarded | 20.4        | 19.8        | 17.9        | 16.7        |
| Average PPD Monetary Benefit   | \$11,585.62 | \$10,818.17 | \$13,105.29 | \$11,209.23 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.1       | 10.3        | 10.5        | 12.3        |
| Average PPD Multiplier         | 1.5        | 4.5         | 1.9         | 1.8         |
| Average PPD Percentage Awarded | 17.8       | 35.3        | 30.0        | 22.8        |
| Average PPD Monetary Benefit   | \$8,078.63 | \$19,585.31 | \$20,656.67 | \$19,398.97 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.7        | 10.3        | 9.3         | 11.8        |
| Average PPD Multiplier         | 2.8         | 2.4         | 2.6         | 3.0         |
| Average PPD Percentage Awarded | 28.3        | 21.3        | 23.0        | 30.4        |
| Average PPD Monetary Benefit   | \$21,780.18 | \$21,580.95 | \$17,250.87 | \$23,690.57 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |            |            |             |             |
|--------------------------------|------------|------------|-------------|-------------|
| Average PPI Rating             |            |            | 17.0        | 9.3         |
| Average PPD Multiplier         |            |            | 6.8         | 4.7         |
| Average PPD Percentage Awarded |            | 30.0       | 73.5        | 22.1        |
| Average PPD Monetary Benefit   | \$3,624.50 | \$9,736.20 | \$64,324.04 | \$10,283.92 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 2.3% | 2.9% | 1.3% | 0.9% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 2.7% | 0.0% | 2.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 28

|                                                                   | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                                                |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI                                | 35.6                       | 44.4                       | 44.1                       | 43.5                       |
| Number of Weeks from MMI to Conclusion                            | 44.3                       | 37.4                       | 44.6                       | 37.2                       |
| Number of Weeks from Injury to Conclusion                         | 86.7                       | 84.8                       | 91.3                       | 83.6                       |
| <b>Case Information</b>                                           |                            |                            |                            |                            |
| Average Age at Date of Injury                                     | 39.6                       | 41.8                       | 41.7                       | 42.0                       |
| Percent of Employees with Less Than a High School Education       | 25.4%                      | 29.5%                      | 18.9%                      | 20.6%                      |
| Percent of Employees a High School Education                      | 59.7%                      | 60.2%                      | 62.2%                      | 58.9%                      |
| Percent of Employees with More Than a High School Education       | 14.9%                      | 10.2%                      | 18.9%                      | 20.6%                      |
| Average Weekly Compensation Rate                                  | \$276.06                   | \$282.59                   | \$307.13                   | \$331.09                   |
| Average Number of Weeks of TTD Benefits                           | 18.1                       | 12.6                       | 13.6                       | 20.8                       |
| Average Monetary Amount of TTD Benefits                           | \$6,213.39                 | \$4,408.99                 | \$3,754.87                 | \$6,208.69                 |
| Average Monetary Amount of Medical Benefits/Expenses              | \$9,510.62                 | \$11,234.10                | \$13,603.22                | \$12,011.06                |
| <b>BAW Injuries Where Injured Worker was Returned to Work</b>     |                            |                            |                            |                            |
| Average PPI Rating                                                | 13.4                       | 11.2                       | 11.5                       | 10.3                       |
| Average PPD Multiplier                                            | 1.7                        | 1.9                        | 2.1                        | 1.9                        |
| Average PPD Percentage Awarded                                    | 19.7                       | 21.7                       | 21.9                       | 20.1                       |
| Average PPD Monetary Benefit                                      | \$24,666.41                | \$26,510.98                | \$26,675.56                | \$30,729.49                |
| <b>BAW Injuries Where Injured Worker was not Returned to Work</b> |                            |                            |                            |                            |
| Average PPI Rating                                                | 46.7                       | 11.6                       | 19.1                       | 10.9                       |
| Average PPD Multiplier                                            | 1.8                        | 3.0                        | 2.0                        | 3.4                        |
| Average PPD Percentage Awarded                                    | 45.6                       | 28.1                       | 48.0                       | 33.2                       |
| Average PPD Monetary Benefit                                      | \$46,727.27                | \$34,441.70                | \$49,960.71                | \$41,986.13                |
| <b>Arm Injuries Where Injured Worker was Returned to Work</b>     |                            |                            |                            |                            |
| Average PPI Rating                                                | 12.3                       | 13.9                       | 13.8                       | 11.3                       |
| Average PPD Multiplier                                            | 2.4                        | 2.5                        | 2.9                        | 2.8                        |
| Average PPD Percentage Awarded                                    | 24.1                       | 28.6                       | 25.0                       | 24.5                       |
| Average PPD Monetary Benefit                                      | \$11,663.71                | \$16,604.15                | \$17,175.55                | \$15,481.71                |
| <b>Arm Injuries Where Injured Worker was not Returned to Work</b> |                            |                            |                            |                            |
| Average PPI Rating                                                | 14.8                       | 13.2                       | 13.0                       | 10.5                       |
| Average PPD Multiplier                                            | 2.0                        | 2.7                        | 2.2                        | 2.8                        |
| Average PPD Percentage Awarded                                    | 26.2                       | 29.3                       | 26.7                       | 28.1                       |
| Average PPD Monetary Benefit                                      | \$10,766.07                | \$10,904.39                | \$15,466.67                | \$16,529.94                |
| <b>Leg Injuries Where Injured Worker was Returned to Work</b>     |                            |                            |                            |                            |
| Average PPI Rating                                                | 13.2                       | 6.7                        | 8.4                        | 8.2                        |
| Average PPD Multiplier                                            | 3.0                        | 1.8                        | 3.4                        | 2.9                        |
| Average PPD Percentage Awarded                                    | 18.0                       | 11.7                       | 19.1                       | 17.9                       |
| Average PPD Monetary Benefit                                      | \$10,444.51                | \$7,129.33                 | \$12,658.55                | \$12,949.69                |
| <b>Leg Injuries Where Injured Worker was not Returned to Work</b> |                            |                            |                            |                            |
| Average PPI Rating                                                | 13.5                       | 17.0                       | 28.0                       | 23.7                       |
| Average PPD Multiplier                                            | 2.5                        | 2.0                        | 1.6                        | 2.6                        |
| Average PPD Percentage Awarded                                    | 33.4                       | 32.5                       | 45.0                       | 65.5                       |
| Average PPD Monetary Benefit                                      | \$10,705.82                | \$18,512.40                | \$29,938.60                | \$39,107.47                |
| <b>Psychological Injuries</b>                                     |                            |                            |                            |                            |
| Percent of Cases Claiming Psychological Injury                    | 3.3%                       | 1.0%                       | 2.4%                       | 0.0%                       |
| Percent of Cases Where Psychological Injury was the Sole Claim    | 8.9%                       | 0.0%                       | 0.0%                       | 0.0%                       |

## Summary of Closed Case Data for Judicial District 29

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 38.9                       | 43.4                       | 44.8                       | 41.6                       |
| Number of Weeks from MMI to Conclusion    | 47.5                       | 45.7                       | 54.6                       | 38.2                       |
| Number of Weeks from Injury to Conclusion | 91.4                       | 94.6                       | 99.5                       | 79.1                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 42.4        | 43.1        | 43.5        | 42.4        |
| Percent of Employees with Less Than a High School Education | 22.6%       | 16.7%       | 27.1%       | 18.8%       |
| Percent of Employees a High School Education                | 59.7%       | 65.2%       | 60.4%       | 62.3%       |
| Percent of Employees with More Than a High School Education | 17.7%       | 18.2%       | 12.5%       | 18.8%       |
| Average Weekly Compensation Rate                            | \$299.87    | \$302.86    | \$323.37    | \$341.91    |
| Average Number of Weeks of TTD Benefits                     | 19.4        | 15.8        | 16.2        | 15.4        |
| Average Monetary Amount of TTD Benefits                     | \$5,649.30  | \$4,813.37  | \$5,108.46  | \$5,520.76  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$17,176.94 | \$16,947.14 | \$18,763.56 | \$12,035.77 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.9        | 9.8         | 11.5        | 10.0        |
| Average PPD Multiplier         | 1.9         | 2.2         | 2.2         | 2.0         |
| Average PPD Percentage Awarded | 31.1        | 21.0        | 20.6        | 17.3        |
| Average PPD Monetary Benefit   | \$35,275.70 | \$24,685.10 | \$24,903.91 | \$22,014.32 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 19.1        | 20.0        | 34.6        | 14.3        |
| Average PPD Multiplier         | 2.6         | 1.9         | 1.8         | 1.9         |
| Average PPD Percentage Awarded | 29.0        | 38.2        | 41.8        | 27.8        |
| Average PPD Monetary Benefit   | \$31,128.49 | \$51,280.85 | \$50,482.37 | \$35,517.29 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.5        | 13.6        | 17.2        | 7.9         |
| Average PPD Multiplier         | 2.2         | 2.4         | 2.1         | 2.7         |
| Average PPD Percentage Awarded | 19.6        | 24.9        | 30.2        | 19.4        |
| Average PPD Monetary Benefit   | \$11,431.24 | \$13,949.06 | \$16,109.32 | \$14,449.61 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.0        | 9.2         | 7.4         | 20.0        |
| Average PPD Multiplier         | 2.3         | 3.1         | 4.2         | 4.1         |
| Average PPD Percentage Awarded | 16.5        | 27.3        | 20.7        | 53.3        |
| Average PPD Monetary Benefit   | \$10,502.89 | \$13,383.72 | \$11,789.84 | \$29,170.93 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.7        | 10.6        | 7.6         | 8.4         |
| Average PPD Multiplier         | 2.5         | 3.0         | 2.7         | 2.4         |
| Average PPD Percentage Awarded | 28.0        | 29.9        | 20.1        | 17.0        |
| Average PPD Monetary Benefit   | \$14,204.44 | \$26,598.87 | \$14,173.71 | \$10,759.38 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |  |             |             |             |
|--------------------------------|--|-------------|-------------|-------------|
| Average PPI Rating             |  | 13.0        | 15.0        | 8.3         |
| Average PPD Multiplier         |  | 1.7         | 2.0         | 5.7         |
| Average PPD Percentage Awarded |  | 24.8        | 30.0        | 46.0        |
| Average PPD Monetary Benefit   |  | \$13,948.52 | \$32,460.00 | \$34,129.34 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 2.2% | 3.5% | 1.6% | 0.0% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 1.2% | 0.0% | 0.0% |

## Summary of Closed Case Data for Judicial District 30

|                                           | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Case Length</b>                        |                            |                            |                            |                            |
| Number of Weeks From Injury to MMI        | 36.4                       | 37.8                       | 42.8                       | 38.9                       |
| Number of Weeks from MMI to Conclusion    | 44.4                       | 50.0                       | 60.4                       | 46.4                       |
| Number of Weeks from Injury to Conclusion | 84.3                       | 90.5                       | 103.6                      | 86.9                       |

### Case Information

|                                                             |             |             |             |             |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|
| Average Age at Date of Injury                               | 40.7        | 40.8        | 41.7        | 42.5        |
| Percent of Employees with Less Than a High School Education | 12.7%       | 13.9%       | 13.2%       | 14.1%       |
| Percent of Employees a High School Education                | 62.8%       | 62.9%       | 54.0%       | 54.9%       |
| Percent of Employees with More Than a High School Education | 24.5%       | 23.2%       | 32.9%       | 31.1%       |
| Average Weekly Compensation Rate                            | \$325.30    | \$343.57    | \$358.81    | \$365.09    |
| Average Number of Weeks of TTD Benefits                     | 17.0        | 17.7        | 19.7        | 19.4        |
| Average Monetary Amount of TTD Benefits                     | \$5,733.50  | \$6,283.93  | \$6,873.30  | \$7,043.70  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$15,568.96 | \$16,430.45 | \$17,678.73 | \$18,922.73 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.0         | 10.0        | 11.2        | 9.9         |
| Average PPD Multiplier         | 2.2         | 2.1         | 2.2         | 2.2         |
| Average PPD Percentage Awarded | 18.5        | 19.3        | 20.7        | 19.6        |
| Average PPD Monetary Benefit   | \$25,572.17 | \$28,853.56 | \$32,126.80 | \$31,802.24 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 14.1        | 11.2        | 17.6        | 13.9        |
| Average PPD Multiplier         | 2.7         | 3.1         | 2.4         | 2.8         |
| Average PPD Percentage Awarded | 29.5        | 33.5        | 31.5        | 32.0        |
| Average PPD Monetary Benefit   | \$38,250.18 | \$41,159.23 | \$44,284.30 | \$46,116.06 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.3         | 10.8        | 10.4        | 8.5         |
| Average PPD Multiplier         | 2.6         | 2.6         | 2.8         | 2.7         |
| Average PPD Percentage Awarded | 20.7        | 22.0        | 23.1        | 18.8        |
| Average PPD Monetary Benefit   | \$15,876.33 | \$16,096.81 | \$15,983.57 | \$13,910.49 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.1        | 14.1        | 10.4        | 9.1         |
| Average PPD Multiplier         | 3.7         | 2.2         | 2.9         | 2.8         |
| Average PPD Percentage Awarded | 39.0        | 23.3        | 28.8        | 24.8        |
| Average PPD Monetary Benefit   | \$21,945.61 | \$15,035.15 | \$18,468.70 | \$23,223.83 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.0         | 8.5         | 8.7         | 9.0         |
| Average PPD Multiplier         | 2.7         | 2.7         | 2.7         | 2.7         |
| Average PPD Percentage Awarded | 20.8        | 19.4        | 20.3        | 20.3        |
| Average PPD Monetary Benefit   | \$14,516.46 | \$14,392.96 | \$17,131.34 | \$17,006.85 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.1        | 14.2        | 22.1        | 13.6        |
| Average PPD Multiplier         | 3.0         | 3.7         | 3.0         | 3.0         |
| Average PPD Percentage Awarded | 27.4        | 39.6        | 33.6        | 35.1        |
| Average PPD Monetary Benefit   | \$15,327.87 | \$25,179.41 | \$16,883.83 | \$24,846.55 |

### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 3.3% | 2.9% | 4.2% | 3.3% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 1.6% | 1.3% | 0.7% |

## Summary of Closed Case Data for Judicial District 31

| Case Length                               | 2000<br>Mean or<br>Percent | 2001<br>Mean or<br>Percent | 2002<br>Mean or<br>Percent | 2003<br>Mean or<br>Percent |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Number of Weeks From Injury to MMI        | 41.0                       | 39.2                       | 56.7                       | 45.4                       |
| Number of Weeks from MMI to Conclusion    | 54.2                       | 52.5                       | 59.8                       | 43.0                       |
| Number of Weeks from Injury to Conclusion | 94.0                       | 91.7                       | 116.8                      | 106.5                      |

### Case Information

|                                                             |            |            |             |             |
|-------------------------------------------------------------|------------|------------|-------------|-------------|
| Average Age at Date of Injury                               | 44.3       | 43.5       | 38.5        | 43.5        |
| Percent of Employees with Less Than a High School Education | 26.7%      | 36.2%      | 22.9%       | 23.3%       |
| Percent of Employees a High School Education                | 61.3%      | 60.3%      | 64.6%       | 58.1%       |
| Percent of Employees with More Than a High School Education | 12.0%      | 3.4%       | 12.5%       | 18.6%       |
| Average Weekly Compensation Rate                            | \$277.30   | \$295.11   | \$332.19    | \$364.71    |
| Average Number of Weeks of TTD Benefits                     | 14.4       | 14.3       | 17.5        | 14.3        |
| Average Monetary Amount of TTD Benefits                     | \$3,574.72 | \$3,923.85 | \$6,411.90  | \$4,641.29  |
| Average Monetary Amount of Medical Benefits/Expenses        | \$9,106.45 | \$8,732.71 | \$15,617.53 | \$18,216.98 |

### BAW Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.3         | 11.4        | 9.5         | 9.1         |
| Average PPD Multiplier         | 2.1         | 2.1         | 1.7         | 2.7         |
| Average PPD Percentage Awarded | 17.9        | 20.7        | 16.7        | 23.9        |
| Average PPD Monetary Benefit   | \$20,567.01 | \$23,181.08 | \$21,868.17 | \$34,844.92 |

### BAW Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 13.1        | 21.5        | 3.5         | 12.8        |
| Average PPD Multiplier         | 2.8         | 2.4         | 3.7         | 3.2         |
| Average PPD Percentage Awarded | 37.2        | 36.0        | 13.0        | 40.3        |
| Average PPD Monetary Benefit   | \$39,953.69 | \$39,747.83 | \$16,280.76 | \$54,185.07 |

### Arm Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 9.1         | 10.2        | 7.0         | 8.5         |
| Average PPD Multiplier         | 2.7         | 2.3         | 3.9         | 4.4         |
| Average PPD Percentage Awarded | 19.3        | 23.2        | 22.5        | 31.7        |
| Average PPD Monetary Benefit   | \$12,888.91 | \$13,157.41 | \$16,462.44 | \$25,196.76 |

### Arm Injuries Where Injured Worker was not Returned to Work

|                                |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.0        | 13.3        | 5.6         | 6.6         |
| Average PPD Multiplier         | 3.0         | 2.5         | 5.8         | 3.4         |
| Average PPD Percentage Awarded | 30.0        | 32.8        | 23.8        | 22.6        |
| Average PPD Monetary Benefit   | \$15,221.40 | \$15,938.76 | \$12,402.42 | \$22,840.49 |

### Leg Injuries Where Injured Worker was Returned to Work

|                                |             |             |             |            |
|--------------------------------|-------------|-------------|-------------|------------|
| Average PPI Rating             | 9.4         | 10.8        | 7.2         | 1.0        |
| Average PPD Multiplier         | 3.8         | 2.6         | 2.5         | 8.0        |
| Average PPD Percentage Awarded | 35.6        | 34.0        | 18.0        | 8.0        |
| Average PPD Monetary Benefit   | \$20,178.31 | \$16,568.19 | \$11,143.38 | \$4,524.80 |

### Leg Injuries Where Injured Worker was not Returned to Work

|                                |            |             |             |             |
|--------------------------------|------------|-------------|-------------|-------------|
| Average PPI Rating             | 10.0       | 55.0        | 34.2        | 12.0        |
| Average PPD Multiplier         | 2.5        | 8.0         | 3.1         | 2.9         |
| Average PPD Percentage Awarded | 25.0       | 80.0        | 85.7        | 35.0        |
| Average PPD Monetary Benefit   | \$7,766.00 | \$38,110.40 | \$75,053.73 | \$18,666.20 |

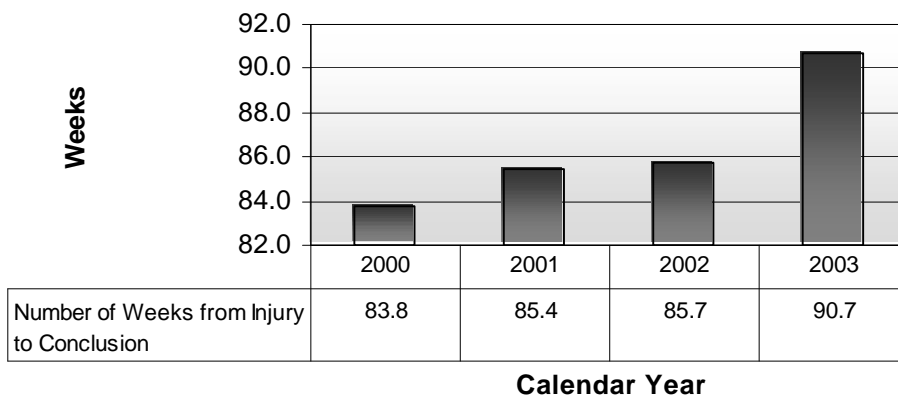
### Psychological Injuries

|                                                                |      |      |      |      |
|----------------------------------------------------------------|------|------|------|------|
| Percent of Cases Claiming Psychological Injury                 | 0.0% | 1.2% | 1.5% | 1.6% |
| Percent of Cases Where Psychological Injury was the Sole Claim | 0.0% | 1.2% | 0.0% | 0.0% |

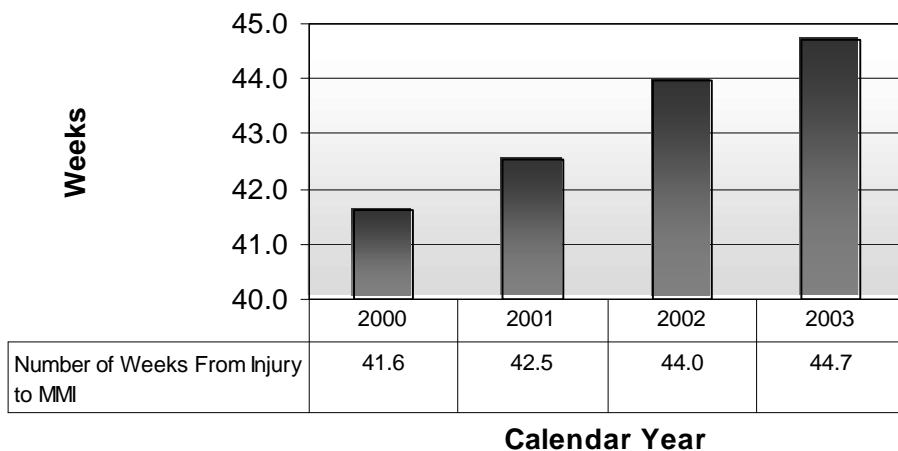
## APPENDIX 2

### FOUR YEAR TREND GRAPHS FOR TENNESSEE WORKERS' COMPENSATION CASES CONCLUDING IN CALENDAR YEARS 2000 - 2003

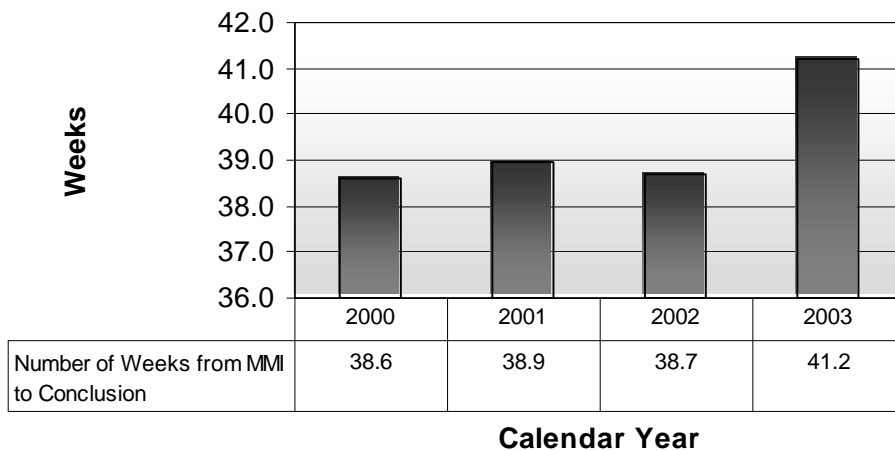
**Number of Weeks from Injury to Conclusion**



**Number of Weeks From Injury to MMI**

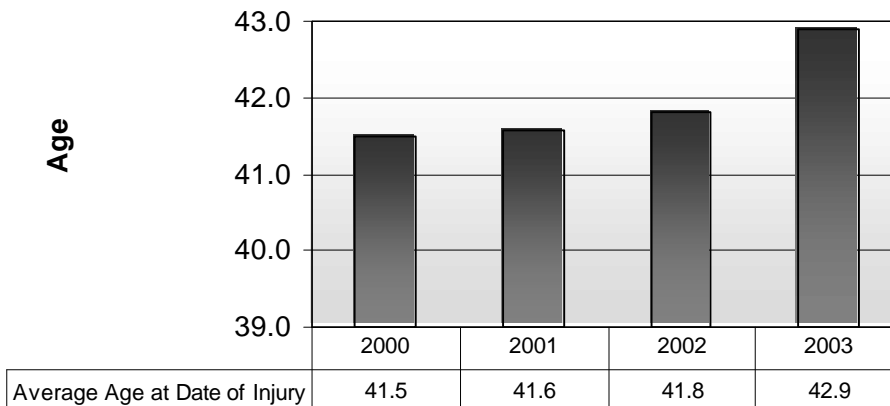


### Number of Weeks from MMI to Conclusion



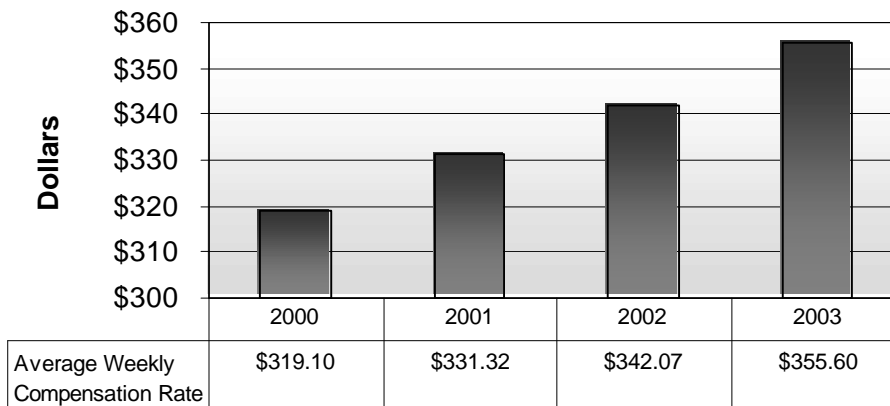
Calendar Year

### Average Age at Date of Injury



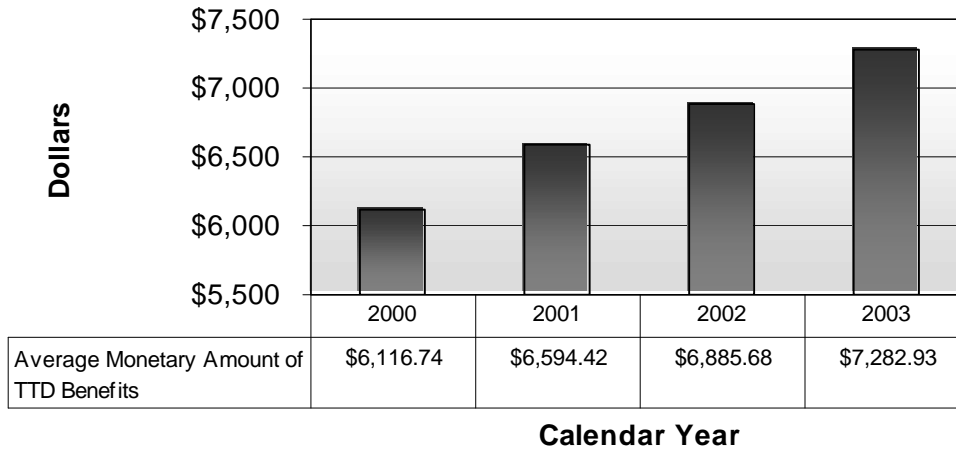
Calendar Year

### Average Weekly Compensation Rate

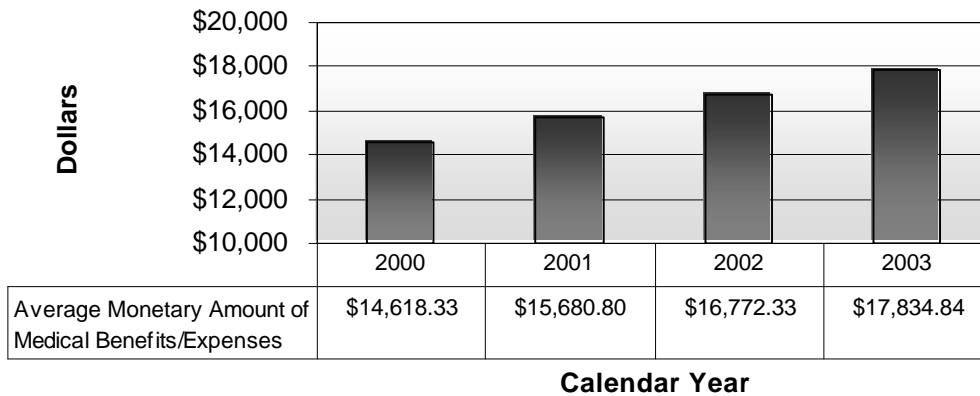


Calendar Year

### Average Monetary Amount of TTD Benefits

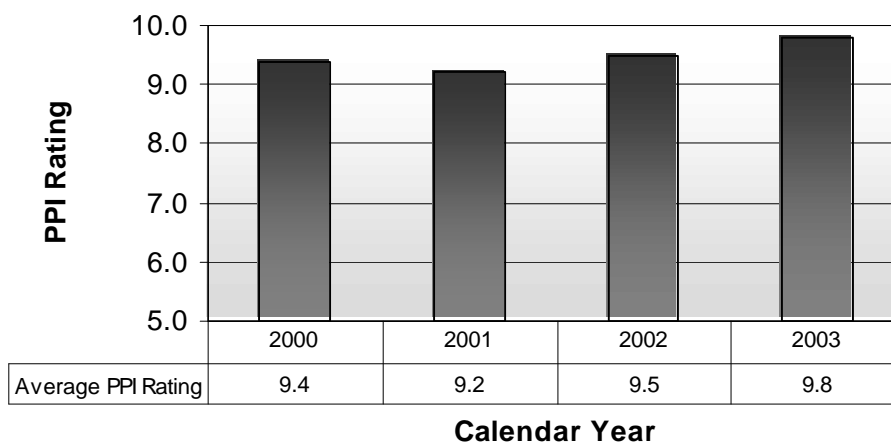


### Average Monetary Amount of Medical Benefits/Expenses

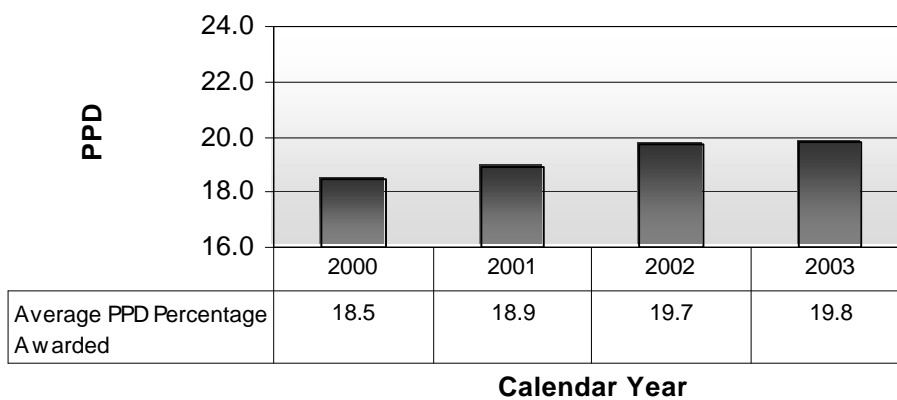


## BODY AS A WHOLE CASES WHERE THE INJURED WORKER RETURNED TO WORK

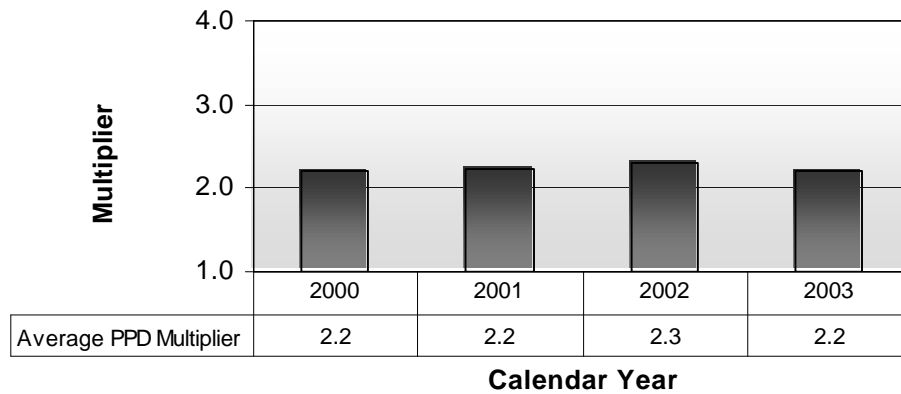
**Average PPI Rating**



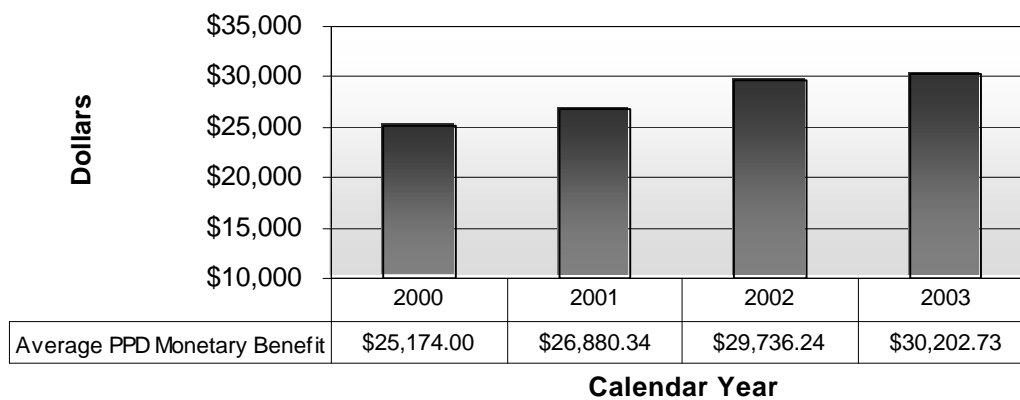
**Average PPD Percentage Awarded**



### Average PPD Multiplier

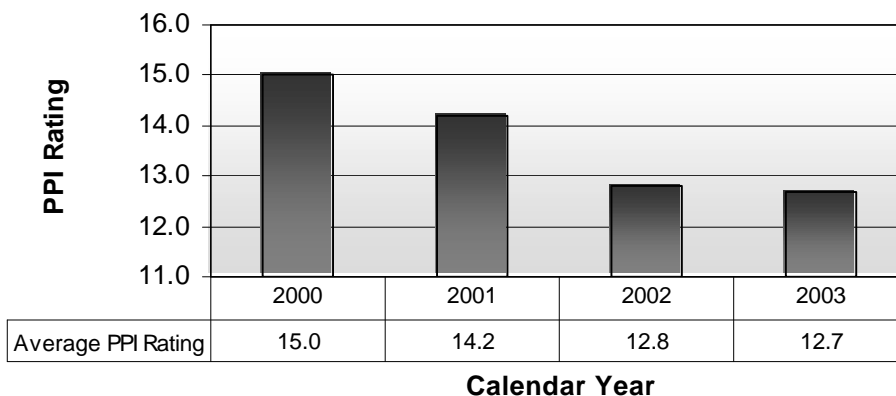


### Average PPD Monetary Benefit

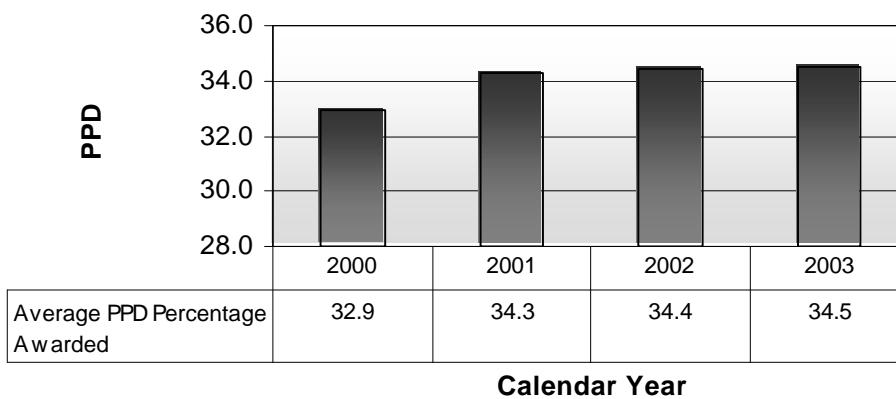


**BODY AS A WHOLE CASES WHERE THE INJURED WORKER DID NOT RETURN TO WORK**

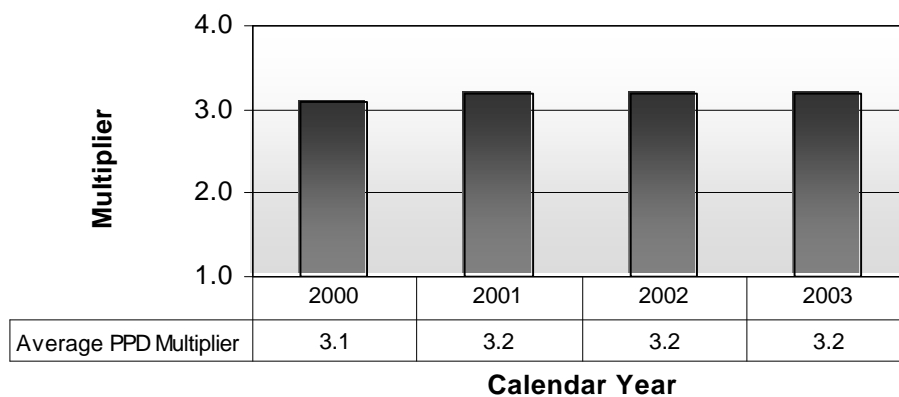
**Average PPI Rating**



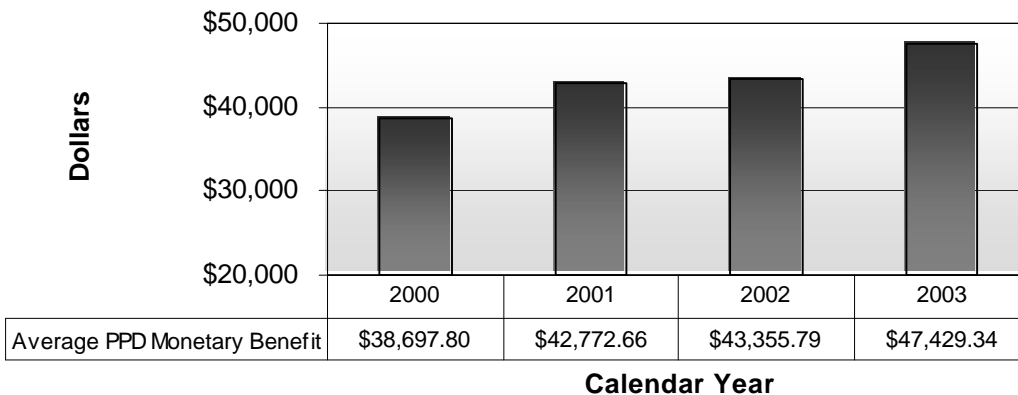
**Average PPD Percentage Awarded**



### Average PPD Multiplier

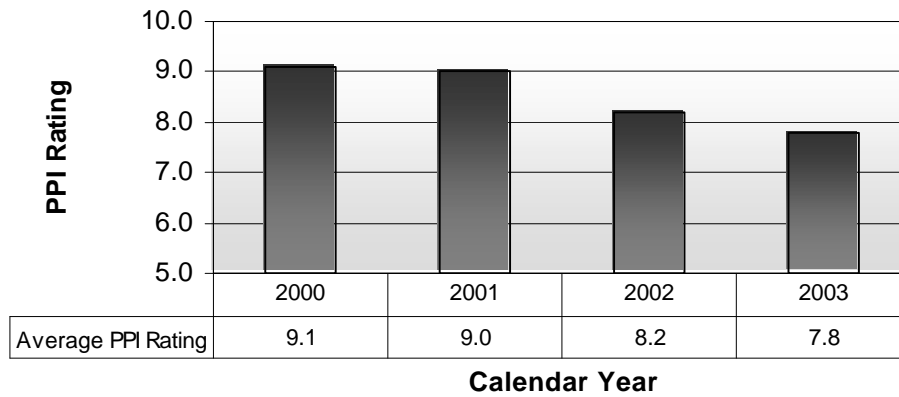


### Average PPD Monetary Benefit

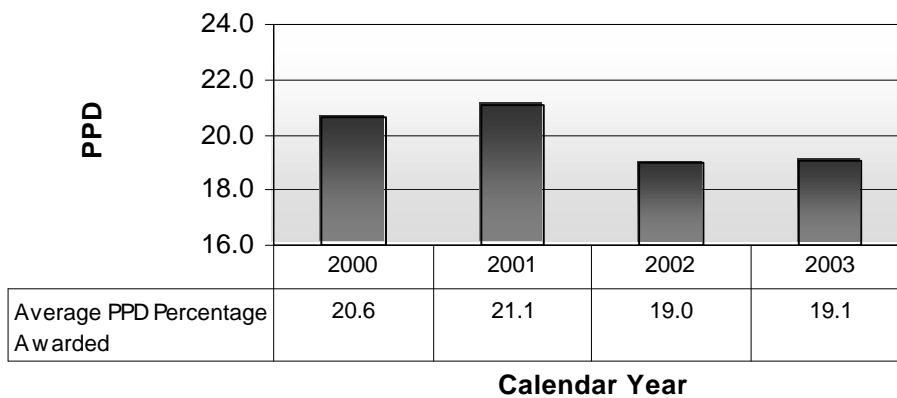


## ARM INJURY CASES WHERE THE INJURED WORKER RETURNED TO WORK

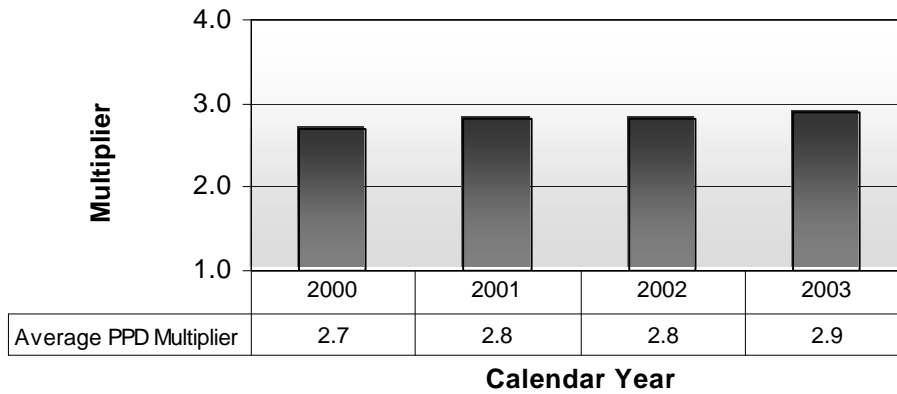
**Average PPI Rating**



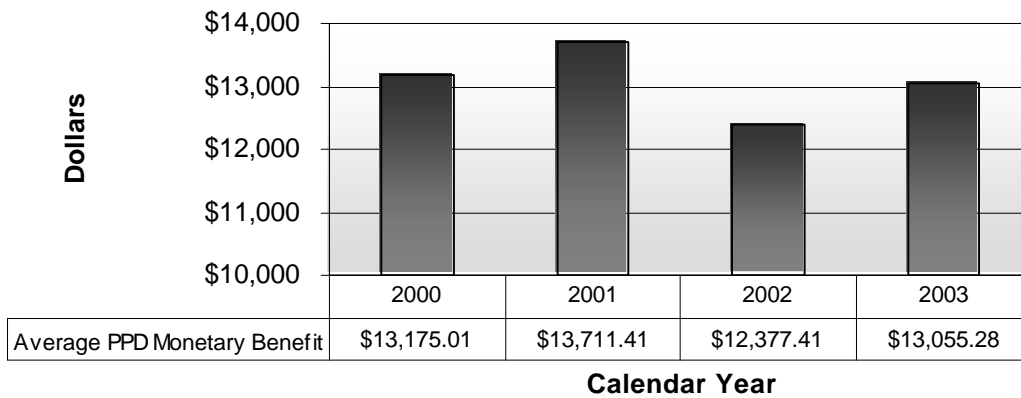
**Average PPD Percentage Awarded**



### Average PPD Multiplier

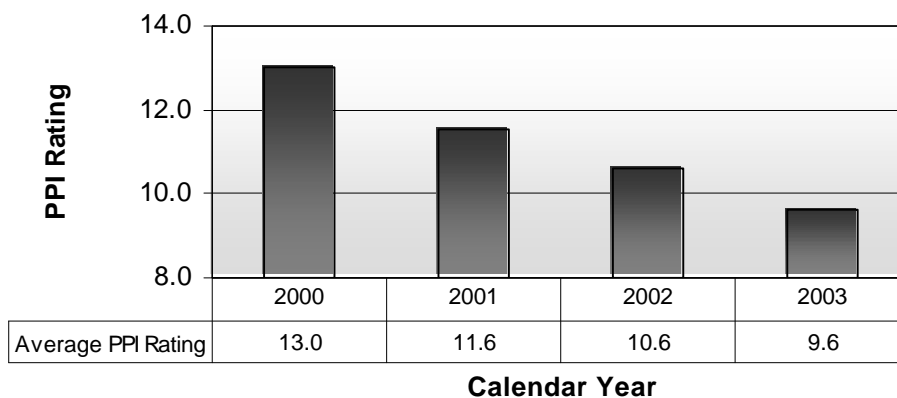


### Average PPD Monetary Benefit

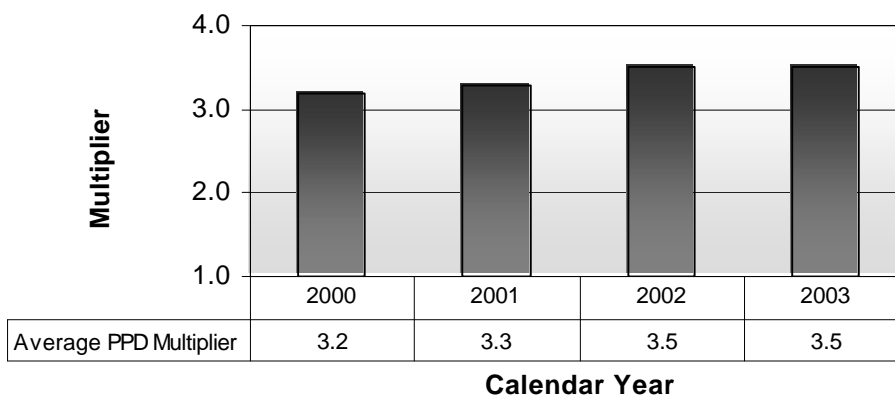


## ARM INJURY CASES WHERE THE INJURED WORKER DID NOT RETURN TO WORK

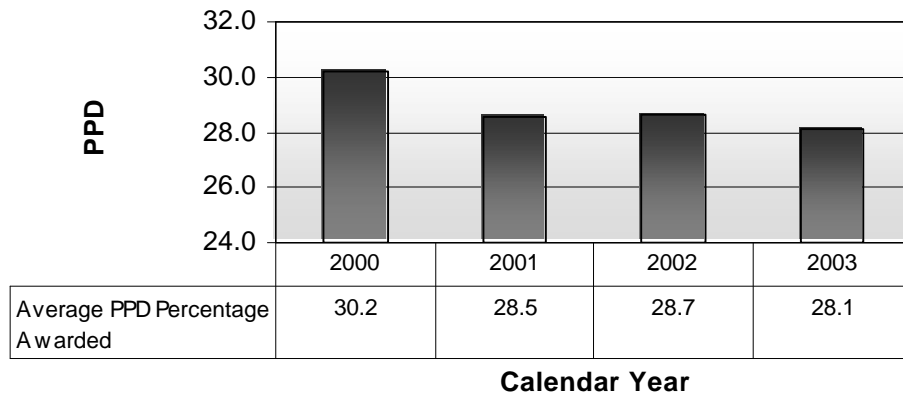
**Average PPI Rating**



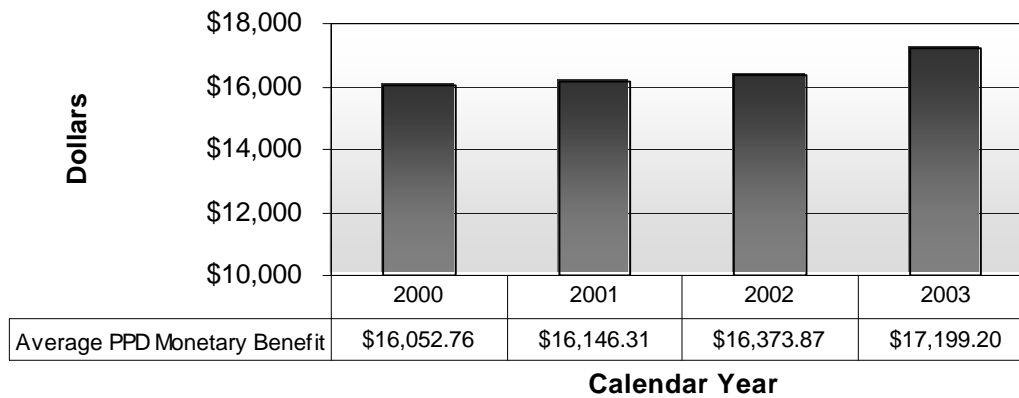
**Average PPD Multiplier**



### Average PPD Percentage Awarded

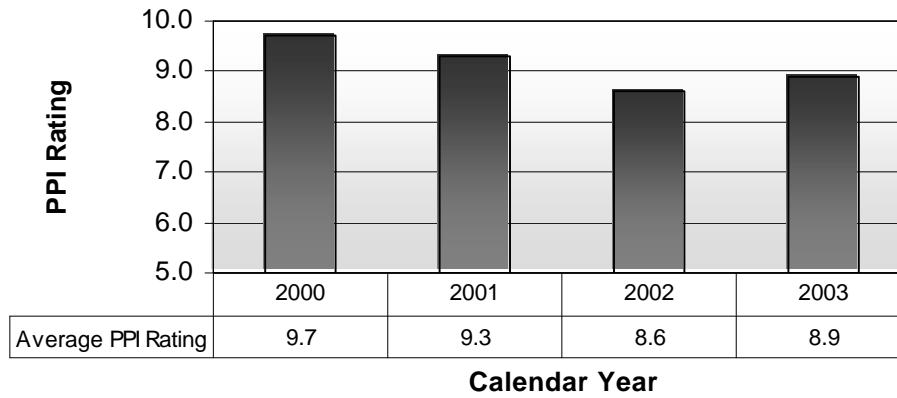


### Average PPD Monetary Benefit

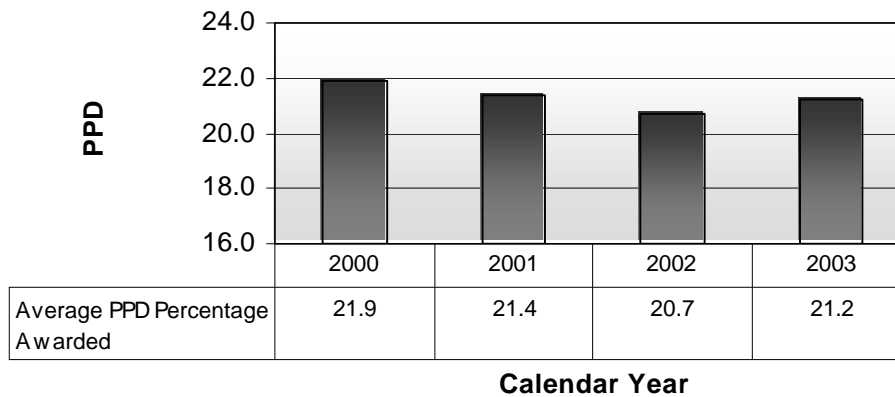


## LEG INJURY CASES WHERE THE INJURED WORKER RETURNED TO WORK

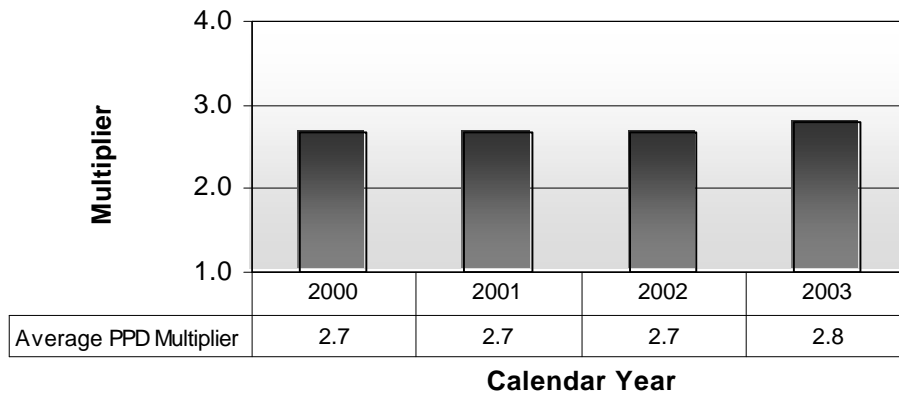
**Average PPI Rating**



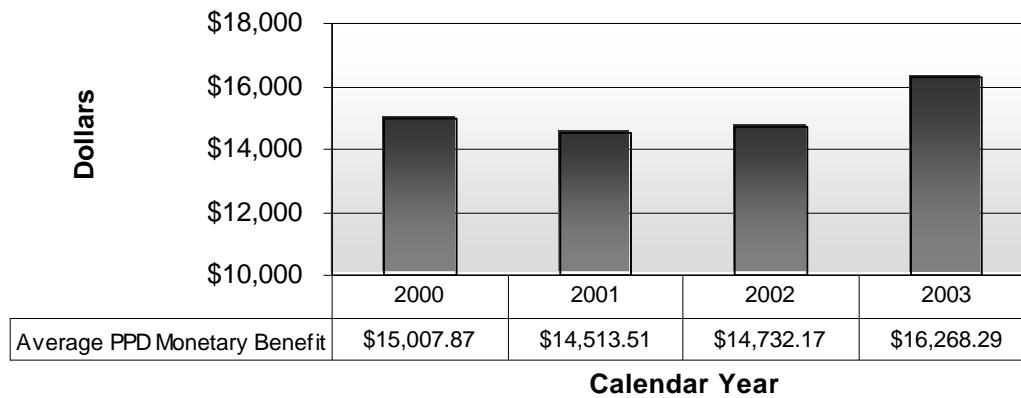
**Average PPD Percentage Awarded**



### Average PPD Multiplier

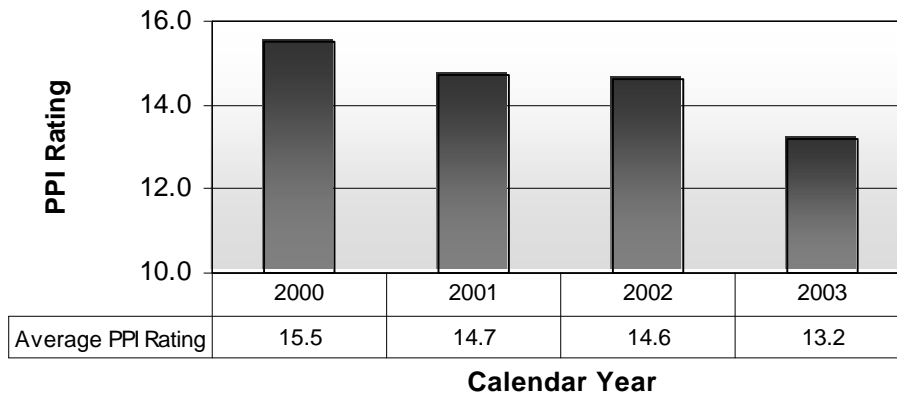


### Average PPD Monetary Benefit

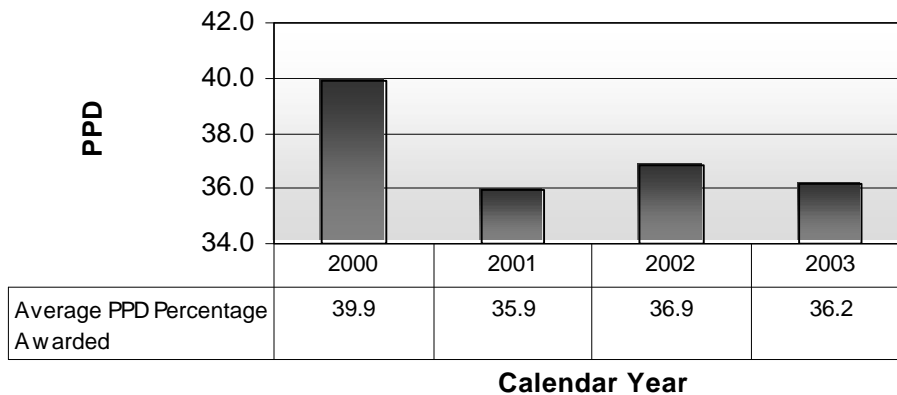


## LEG INJURY CASES WHERE THE INJURED WORKER DID NOT RETURN TO WORK

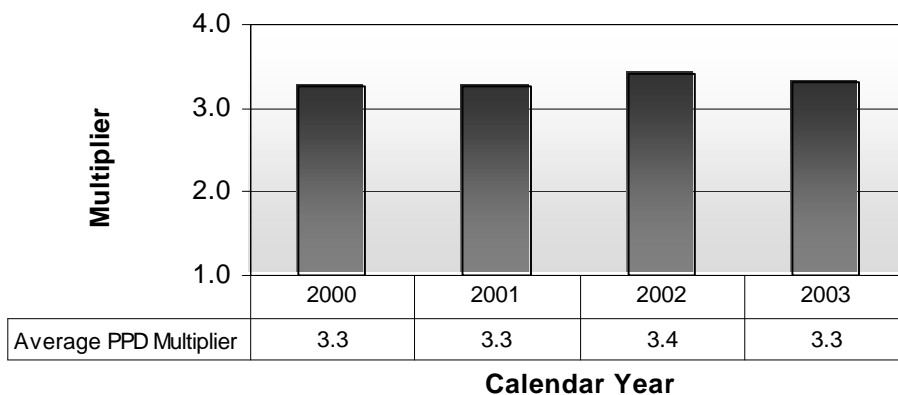
**Average PPI Rating**



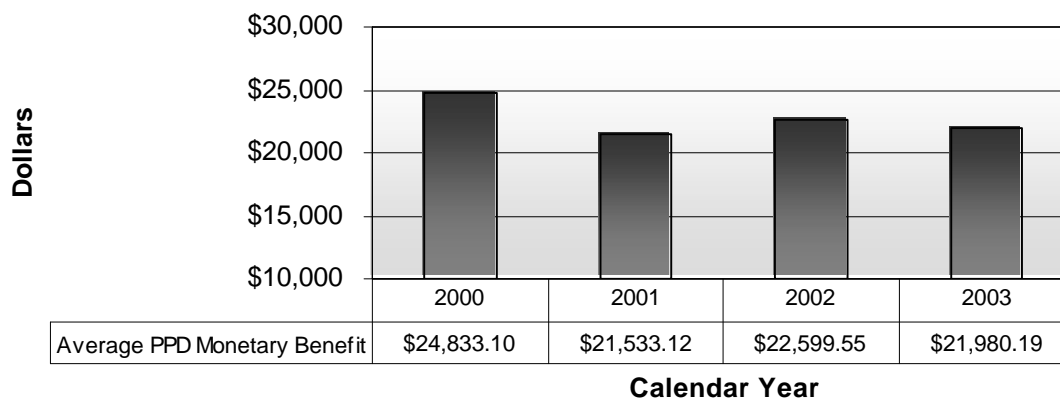
**Average PPD Percentage Awarded**



### Average PPD Multiplier



### Average PPD Monetary Benefit



## APPENDIX 3

### SYNOPSIS OF TENNESSEE WORKERS' COMPENSATION

#### DISABILITY AND MEDICAL BENEFITS - COMPENSABLE CLAIM

In Tennessee, when an employee sustains an injury in the course and scope of his/her employment, the employee is entitled to receive temporary total disability benefits (TTD) if the employee is unable to work for a period of at least seven (7) days. TTD benefits are paid beginning the eighth day unless the employee is unable to work for fourteen (14) days and in that event the employee will receive TTD benefits retroactive to the first day after the injury. *See, TCA §50-6-205, 207.* If the employee returns to work on either a part-time basis or on light duty and does not earn wages equal to the pre-injury wage, then the employee is entitled to temporary partial disability benefits (TPD). *See, TCA §50-6-207.*

The amount of weekly compensation benefits to which the employee is entitled is equal to sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wage for the fifty-two (52) week period preceding the date of injury, subject to a statutory minimum and maximum weekly compensation rate. For example, for injuries occurring between July 1, 2001 and June 30, 2002, the maximum weekly compensation rate is \$581.00.<sup>39</sup> *See, TCA §50-6-102(a)(7) and TCA §50-6-207.*

The employer is required to furnish any medical treatment necessary as a result of a work related injury. The employer must furnish the injured employee with a list of three physicians (panel choice) from which the employee chooses the "attending physician" for the medical treatment. *See, TCA §50-6-204.* The employer is also responsible for medical treatment provided by any medical care provider to whom the "attending physician" refers the employee. After the employee achieves as

<sup>39</sup> Maximum compensation rates for injury dates pertaining to this study

| YEAR              | MAX RATE | YEAR              | MAX RATE |
|-------------------|----------|-------------------|----------|
| 8/1/92 to 6/30/93 | \$318.24 | 7/1/98 to 6/30/99 | \$515.00 |
| 7/1/93 to 6/30/94 | \$355.97 | 7/1/99 to 6/30/00 | \$541.00 |
| 7/1/94 to 6/30/95 | \$382.79 | 7/1/00 to 6/30/01 | \$562.00 |
| 7/1/95 to 6/30/96 | \$415.87 | 7/1/01 to 6/30/02 | \$581.00 |
| 7/1/96 to 6/30/97 | \$453.14 | 7/1/02 to 6/30/03 | \$599.00 |
| 7/1/97 to 6/30/98 | \$492.00 | 7/1/03 to 6/30/04 | \$614.00 |

much healing as possible, i.e. maximum medical improvement (or MMI), the attending physician determines whether the employee's condition is permanent in nature and if so, states an opinion as to the employee's "permanent impairment" (PPI rating).

If the employee retains a permanent impairment and has received a PPI rating, the employee is almost always entitled to permanent partial disability benefits (PPD), which is a monetary sum paid by the employer to compensate the employee for the loss of the ability to compete for jobs in the open job market.<sup>40</sup> The amount of PPD benefits which may be awarded by the court to the employee is dependent upon several factors, including type of injury, extent of impairment, age, education, prior work history, job skills, ability to work in the disabled condition and local job opportunities. The award of PPD benefits is also governed by other statutory provisions depending on the type of injury, whether the employer returned the employee to work and other factors. *See, TCA §50-6-207(3); TCA §50-6-241, 242.*

Thus, the first consideration in determining the permanent disability to which the employee may be entitled is to ascertain whether the injury is to the body as a whole (BAW) or to a scheduled member (SM). A scheduled member is a part of the body enumerated in the statute such as finger, arm, hand, toe, foot, leg, eye and hearing. *See, TCA §50-6-207(3)(A)(ii).* All other injuries not specifically provided for in the "schedule" are considered injuries to the body as a whole. Examples of body as a whole injuries include injuries to the back, shoulder, head or a combination of three scheduled member injuries.

If the injury is to a scheduled member, the trial court has full discretion to determine the amount of PPD to which the employee is entitled based on the nature of the injury, the anatomical impairment, the employee's age, education, prior job experience and job skills. The only limitation on the trial court's PPD award for a scheduled member is the maximum number of weeks of disability which is set by statute for the specific member. For example, if the injury is to the arm, the maximum PPD award is 200 weeks of benefits calculated by using the employee's weekly compensation rate. For an employee who has a weekly compensation rate of \$200 and a PPD of 20% to the arm, the

---

<sup>40</sup> Tennessee law also allows recovery of PPD benefits if there is medical proof the injury is permanent in nature but the medical provider is unable or refuses to give a PPI rating.

amount of compensation for the injury would be \$8,000. If the same employee had lost the arm, the maximum amount of compensation which could be awarded would be \$40,000 (i.e, 200 weeks times \$200 comp rate).

If the injury is to the body, then the amount of PPD to which the employee is entitled will depend first upon whether the employer returned the employee to work earning the same (or greater) pay than the wage being earned at the time of injury. If the employee did return to work under these criteria, then the maximum amount which can be awarded for PPD is two and one-half (2.5) times the impairment rating, as determined by the trial court. The amount of the award is calculated by multiplying the PPD percentage awarded by the Court by 400 weeks, the maximum number of weeks the employee may receive permanent partial disability benefits, and then multiplying that figure by the employee's weekly compensation rate. For example, if an employee whose weekly compensation rate is \$200 sustained a back strain and the only impairment rating given by a doctor was 5%, then the court's award could not exceed 12.5% PPD which equals \$10,000 ( $0.125 \times 400 \text{ weeks} \times \$200$ ), if the employer brought the employee back to work. *See, TCA §50-6-241.*

If the employer does not return the employee to work (earning the same or greater pay), then the maximum amount of PPD which can be awarded by the trial court cannot exceed six (6) times the PPI rating, as determined by the trial court. If the trial court awards a multiplier of five (5) or greater, then the trial court must make specific findings of fact detailing the reasons for the award. The amount of the award is calculated in the same manner as above. For example, if you assume the same type of injury as above, except the employer did not return the employee to work, the maximum PPD which could be awarded would be 30% which equals \$24,000.00 ( $0.30 \times 400 \text{ weeks} \times \$200$ ). *See, TCA §50-6-241.*

If the employer does not return the employee to work at the same or greater pay and the employee meets three of the four following criteria: (1) age 55 or older; (2) no high school diploma or GED or cannot read and write at an eighth grade level; (3) no reasonably transferable job skills; or (4) no reasonable employment opportunities available locally, the trial court is not limited to a multiplier maximum. However, the PPD award in this situation cannot exceed 400 weeks of benefits. *See, TCA §50-6-242.*

If the employee is totally incapacitated from working at an occupation which brings an income, the employee is considered “permanently totally disabled” and is entitled to permanent total disability benefits (PTD). These PTD benefits are payable until the employee reaches full retirement age, or if the injury occurs after the employee is 60 years old, the employee is entitled to 260 weeks of benefits. Also, Tennessee provides death benefits, in addition to burial expenses and required medical expenses, when an employee dies as a result of a work-related injury. If the employee is unmarried and leaves no dependents, the estate of the employee is entitled to a lump sum of \$20,000.<sup>3</sup> If the employee leaves dependents, compensation is paid at the rate of sixty-six and two-thirds percent (66 2/3 %) of the employee’s average weekly wages, subject to the maximum weekly benefit.

#### PERMANENT DISABILITY RESOLUTION PROCESS

The Tennessee workers’ compensation system is a court based system rather than a commission system. Generally, when an employee is injured in the course and scope of employment, if the parties (employee, employer and/or workers’ compensation insurance carrier) cannot agree upon the compensation to which the employee is entitled for the injury, either of the parties may submit the dispute to the court for determination of the benefits to which the employee is entitled. Although TCA §50-6-225<sup>4</sup>, prior to 1998, provided two methods by which the dispute could be determined, as a practical matter, the disputed cases were submitted to either the circuit or chancery courts in the county where the petitioner (the one filing the action) resides or the county in which the accident occurred. In some counties, the criminal court also hears workers’ compensation cases.<sup>5</sup>

If the workers’ compensation claim proceeds to trial, the trial court has discretion to accept the opinion of one physician regarding the permanent impairment rating over the opinion of another physician. The trial court is not required to give more weight to the opinion concerning permanent impairment given by the “attending physician”. Both the employer and employee are allowed to

---

<sup>3</sup> The amount was raised from \$10,000 to \$20,000 by the General Assembly in 1999.

<sup>4</sup> The amount was raised from \$10,000 to \$20,000 by the General Assembly in 1999.

<sup>5</sup> Tennessee law does provide a mediation process [benefit review conference] by which disputed workers’ compensation claims can be resolved without the necessity of a trial. For injuries which occur after January 1, 1997, the benefit review conference is mandatory, unless both the employer and employee (or their representatives) agree to waive the mandatory benefit review conference. See, TCA §50-6-239.

present expert testimony of an independent medical doctor, i.e. a doctor who is retained to conduct an independent medical examination for the sole purpose of evaluating the extent of permanent impairment.

Thus, in Tennessee, it is possible for there to be expert testimony concerning the permanent impairment by more than one physician. For those cases in which there are multiple opinions of permanent impairment, it is more probable than not that the opinions will not be the same, even though each physician is required to base the PPI opinion on either the most recent edition of the American Medical Association Guides to the Evaluation of Permanent Impairment or the Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment.

As the trial court determines the amount of permanent partial disability to which an employee is entitled, the court not only is required to consider many factors (age, education, job skills, etc.) in addition to the permanent impairment rating but the court is also allowed to select among the various medical impairment ratings which may have been given. This creates the potential for variations in PPD awards to exist--not only among the 31 judicial districts, but also within the same judicial district. Therefore, the reader is encouraged to keep these variables in mind as this report is read and the results interpreted.

---

## APPENDIX 4

### GLOSSARY OF STATISTICAL TERMS

#### **analysis of variance (ANOVA)**

a study of the effect of a set of qualitative variables on a quantitative response variable, based on a decomposition of the variance of the latter. A significance test used to determine the difference in the data between judicial districts.

#### **Kruskal-Wallis test**

a significance test used to determine the difference in the data between judicial districts. A nonparametric version of the ANOVA.

#### **mean**

1. the sum of all data values divided by their number.
2. the arithmetic average

#### **median**

the value of the middle item when data are arranged in order of size.

#### **standard deviation**

a measure of variability representing an average distance of the data from the mean; its square is the variance.

#### **statistically significant**

1. a description of evidence in which the discrepancies between data sets are too large or improbable to be attributed to chance.
2. the variance within individual data sets (judicial districts) is less than the variance between the sets (judicial districts)



Tennessee Workers' Compensation Advisory Council. Authorization No. 337951. 150 copies. November, 2004. This public document has been promulgated at a cost of \$5.9967 per copy.